

FEDERAL REGISTER

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Washington, Saturday, July 17, 1948

TITLE 3—THE PRESIDENT

PROCLAMATION 2796

CONVENING THE CONGRESS

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA
A PROCLAMATION

WHEREAS the public interest requires that the Congress of the United States should be convened at twelve o'clock, noon, on Monday, the twenty-sixth day of July, 1948, to receive such communication as may be made by the Executive;

NOW THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby proclaim and declare that an extraordinary occasion requires the Congress of the United States to convene at the Capitol in the City of Washington on Monday, the twenty-sixth day of July, 1948, at twelve o'clock, noon, of which all persons who shall at that time be entitled to act as members thereof are hereby required to take notice.

IN WITNESS WHEREOF I have hereunto set my hand and caused to be affixed the great seal of the United States.

DONE at the city of Washington this fifteenth day of July, in the year of our Lord nineteen hundred and [SEAL] forty-eight, and of the Independence of the United States of America the one hundred and seventy-third.

HARRY S. TRUMAN

By the President:

G. C. MARSHALL,
Secretary of State.

[F. R. Doc. 48-6459; Filed, July 15, 1948;
5:08 p. m.]

PROCLAMATION 2797

DEATH OF GENERAL PERSHING

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA
A PROCLAMATION

To the People of the United States:

It becomes my sad duty to announce officially the death of John J. Pershing, General of the Armies of the United States, who died at Walter Reed Hospital in Washington, D. C., at 3:50 a. m. on the 15th day of July, 1948.

General Pershing devoted his entire life to his profession. He served with distinction in numerous campaigns and his glorious part in the first World War will never be forgotten. His death comes as a great sorrow to his friends and as a genuine bereavement to the people of the United States. He has already achieved an honored place in our history.

As a mark of respect to General Pershing's memory it is hereby ordered that the national flag be displayed at half-mast upon all public buildings and at all forts and military posts and naval stations, and on all vessels of the United States, until after the funeral shall have taken place.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 15th day of July, in the year of our Lord nineteen hundred and forty-[SEAL] eight, and of the Independence of the United States of America the one hundred and seventy-third.

HARRY S. TRUMAN

By the President:

G. C. MARSHALL,
Secretary of State.

[F. R. Doc. 48-6460; Filed, July 15, 1948;
5:08 p. m.]

PROCLAMATION 2798

SUPPLEMENTING PROCLAMATIONS OF DECEMBER 16, 1947 AND JANUARY 1, 1948, CARRYING OUT GENERAL AGREEMENT ON TARIFFS AND TRADE AND EXCLUSIVE TRADE AGREEMENT WITH CUBA, RESPECTIVELY

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA
A PROCLAMATION

WHEREAS (1) pursuant to the authority conferred by section 350 of the Tariff Act of 1930, as amended by section 1 of the Act of June 12, 1934, by the Joint Resolution approved June 7, 1943, and by sections 2 and 3 of the Act of July 5, 1945 (48 Stat. 943 and 944, ch. 474, 57 Stat. 125, ch. 118, 59 Stat. 410 and 411, ch. 269; 19 U. S. C. (1946) 1351) the period for the exercise of said authority

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1947 SUPPLEMENT

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having been extended by section 1 of said Act of July 5, 1945 until the expiration of three years from June 12, 1945 (43 Stat. 944, ch. 474, 59 Stat. 410, ch. 269; 19 U. S. C. (1946) 1352 (c)) on October 30, 1947 the President entered into a trade agreement with the Governments of the Commonwealth of Australia, the Kingdom of Belgium, the United States of Brazil, Burma, Canada, Ceylon, the Republic of Chile, the Republic of China, the Republic of Cuba, the Czechoslovak Republic, the French Republic, India, Lebanon, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, New Zealand, the Kingdom of Norway, Pakistan, Southern Rhodesia, Syria, the Union of South Africa, and the United Kingdom of Great Britain and Northern Ireland, which trade agreement consists of the General Agreement on Tariffs and Trade and the related Protocol of Provisional Application thereof, together with the Final Act Adopted at the Conclusion of the Second Session of the Preparatory Committee of the United Nations Conference on Trade and Employment which authenticated the texts of said general agreement and said protocol;

WHEREAS (2) on December 16, 1947 by Proclamation 2761A the President proclaimed such modifications of existing duties and other import restrictions of the United States of America and such continuance of existing customs or excise treatment of articles imported into the United States of America as were then found to be required or appropriate to carry out said trade agreement on and after January 1, 1948 (12 F. R. 8866) which proclamation has been supplemented by Proclamation 2769 of January 30, 1948 (13 F. R. 467) Proclamation 2782 of April 22, 1948 (13 F. R. 2211) Proclamation 2784 of May 4, 1948 (13 F. R. 2439) Proclamation 2780 of June 11, 1948 (13 F. R. 3269) Proclamation 2791 of June 12, 1948 (13 F. R. 3272) and Proclamation 2792 of June 25, 1948 (13 F. R. 3597)

WHEREAS (3) pursuant to the authority conferred by said section 350, the period for the exercise of said au-

thority having been so extended, on October 30, 1947 the President entered into an exclusive trade agreement with the Government of the Republic of Cuba (T. D. 51819 (Customs)) which exclusive trade agreement includes certain portions of other documents made a part thereof and provides for the customs treatment in respect of ordinary customs duties of products of the Republic of Cuba imported into the United States of America;

WHEREAS (4) on January 1, 1948 by Proclamation 2764 the President proclaimed such modifications of existing duties and other import restrictions of the United States of America in respect of products of the Republic of Cuba and such continuance of existing customs and excise treatment of products of the Republic of Cuba imported into the United States of America as were then found to be required or appropriate to carry out said exclusive trade agreement on and after January 1, 1948 (13 F. R. 21) which proclamation has been supplemented by said proclamations of January 30, 1948, April 22, 1948, May 4, 1948, June 11, 1948, and June 25, 1948;

WHEREAS (5) said protocol of provisional application has been signed (a) by the Governments of Burma, Ceylon, and Lebanon on June 29, 1948 with the result that said Governments will be contracting parties to said general agreement on July 30, 1948, and (b) by the Governments of the United States of Brazil, New Zealand, Pakistan, and Syria on June 30, 1948 and said Governments will be such contracting parties on July 31, 1948;

WHEREAS (6) I, Harry S. Truman, President of the United States of America, determine that the application of each of the concessions provided for in part I of schedule XX of said general agreement which were withheld from application in accordance with article XXVII of said general agreement by said proclamation of December 16, 1947 as are identified in the following list is required or appropriate to carry out, on and after the date set forth following the identification of each such concession, said trade agreement specified in the 1st recital of this proclamation:

Item (paragraph)	Rates of duty	Date
15 (second).....	5¢ per lb.....	July 31, 1948
15 (third).....	17¢ ad val.....	July 31, 1948
35.....	5¢ ad val.....	July 31, 1948
41 (third).....	10¢ ad val. and 2½¢ per lb.....	July 31, 1948
53.....	1½¢ per lb.....	July 31, 1948
54 (second).....	3¢ per lb.....	July 31, 1948
58 (a).....	4¢ per lb.....	July 31, 1948
58 (second).....	20¢ ad val.....	July 31, 1948
61 (second).....	15¢ per lb.....	July 30, 1948
73.....	1¢ per lb.....	July 30, 1948
77.....	All rates.....	July 31, 1948
78 (second).....	1½¢ per lb.....	July 30, 1948
79 (first).....	5¢ per lb.....	July 30, 1948
	1½¢ per lb. [first such rate].....	July 30, 1948
72.....	1½¢ per lb.....	July 31, 1948
73.....	4¢ per lb.....	July 31, 1948
79 (second).....	1¢ per lb. on the entire contents of the container.....	July 30, 1948
1161 (a) [first].....	All rates.....	July 31, 1948
1161 (b).....	Free, subject to the provisions of paragraph 1161 (b), Tariff Act of 1930, as amended, identified herein only as to other than camel hair.....	July 9, 1948
1162 (a).....	All rates.....	July 31, 1948
1218 (fourth).....	20% ad val.....	July 31, 1948

RULES AND REGULATIONS

Item (paragraph)	Rates of duty	Date
1636.....	Free.....	July 31, 1948
1653.....	Free.....	July 31, 1948
1654.....	Free.....	July 31, 1948
1656.....	Free.....	July 30, 1948
1783 (b).....	Free.....	July 30, 1948
(Section)	Rates of import tax	
2424.....	\$3 per 1,000 ft., board measure.	July 31, 1948
	\$1.70 per 1,000 ft., board measure [sec- ond such rate].	July 31, 1948

and

WHEREAS (7) I determine that, in view of the determination set forth in the 6th recital of this proclamation, the following amendments of the list set forth in the 9th recital of said proclamation of January 1, 1948, as amended and rectified, are required or appropriate to carry out said exclusive trade agreement specified in the 3rd recital of this proclamation.

(a) The deletion, on and after July 30, 1948, of item 758 in said 9th recital; and

(b) The deletion, on and after July 31, 1948, of item 762 in said 9th recital;

NOW THEREFORE, be it known that I, Harry S. Truman, President of the United States of America, acting under the authority of said section 350 of the Tariff Act of 1930, as so amended, do proclaim.

PART I

To the end that said trade agreement specified in the 1st recital of this proclamation may be carried out, that each of the concessions provided for in part I of said schedule XX which are identified in the 6th recital of this proclamation shall, on and after the date set forth following the identification of each such concession, no longer be identified in the 8th recital of said proclamation of December 16, 1947, and on and after said date the rate of duty representing each such concession identified in said 6th recital of this proclamation shall be applied, subject to the applicable terms, conditions, and qualifications set forth in said schedule XX, and parts I, II, and III, of said general agreement, and in subdivision (a) other than exception (I) thereof, of said proclamation of December 16, 1947, including any amendments and rectifications of said agreement and said proclamation which have been proclaimed by the President, to articles of a kind provided for in the description of products in the column at the left of said rate; and

PART II

To the end that said exclusive trade agreement specified in the 3rd recital of this proclamation may be carried out, that the list set forth in the 9th recital of said proclamation of January 1, 1948, as amended and rectified, shall be further amended in the manner, and on and after the respective dates, indicated in the 7th recital of this proclamation.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 15th day of July in the year of our

Lord nineteen hundred and [SEAL] forty-eight and of the Independence of the United States of America the one hundred and seventy-third.

HARRY S. TRUMAN

By the President:

G. C. MARSHALL,
Secretary of State.

[F. R. Doc. 48-6461; Filed, July 15, 1948;
5:08 p. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter II—Production and Marketing Administration (Commodity Credit)

[1948 C. C. C. Flaxseed Bulletin 1, Supp. 1]

PART 271—FLAXSEED LOANS AND PURCHASE AGREEMENTS

1948 BASIC COUNTY LOAN RATES FOR NO. 1 FLAXSEED

Pursuant to the provisions of Article Third, paragraph (b) of the Corporate Charter of Commodity Credit Corporation; a Delaware corporation, sec. 7 (a) 49 Stat. 4 as amended, sec. 4 (a) 55 Stat. 498, 56 Stat. 768; 15 U. S. C. 1946 ed., 713 (a) 713a-8, 50 U. S. C. 1946 ed. 969, Commodity Credit Corporation and the Production and Marketing Administration have issued, in 1948 Flaxseed Bulletin 1 (13 F. R. 3576) regulations governing the making of loans on flaxseed produced in 1948, and rates applicable to flaxseed in eligible warehouse storage at designated terminal markets. Such regulations are hereby supplemented as follows:

§ 271.226 *Basic county loan rates for No. 1 Flaxseed, Arizona and California.* The 1948 basic county loan rates listed in this section are determined in accordance with the provisions of § 271.224 (b) (1948 C. C. C. Flaxseed Bulletin 1)

ARIZONA

	No. 1 flaxseed		No. 1 flaxseed
County	per bushel	County	per bushel
Maricopa	\$5.94	Yuma	\$5.95
Pinal	5.93		

CALIFORNIA

Alameda	\$6.09	Sacramento	\$6.05
Butte	6.02	San Bernar-	
Calaveras	6.04	dino	6.05
Colusa	6.03	San Joaquin	6.06
Contra Costa	6.09	San Mateo	6.09
Fresno	6.03	Santa Clara	6.08
Glenn	6.03	Siskiyou	5.92
Imperial	6.02	Soleno	6.07
Inyo	5.92	Sonoma	6.06
Kern	6.03	Stanislaus	6.06
Kings	6.03	Sutter	6.03
Madera	6.04	Tehama	6.00
Merced	6.05	Tulare	6.02
Placer	6.01	Yolo	6.05
Riverside	6.04	Yuba	6.06

(Sec. 4 (a) 55 Stat. 498, 56 Stat. 768, sec. 5, Pub. Law 806, 80th Cong., 15 U. S. C. 713a-8, 50 U. S. C. 969)

[SEAL] ELMER F. KRUSE,
Manager
Commodity Credit Corporation.

JULY 14, 1948.

[F. R. Doc. 48-6413; Filed, July 16, 1948;
8:55 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices)

[Interpretation 6]

PART 162—REGULATIONS FOR THE ENFORCEMENT OF THE FEDERAL INSECTICIDE, FUNGICIDE AND RODENTICIDE ACT

INTERPRETATION WITH RESPECT TO STATEMENT OF NET CONTENTS

(a) *Requirement of the act.* The act requires that the label of each economic poison bear a statement of the net weight or measure of the contents.

(b) *Terms of weight or measure.* (1) If there are terms of weight or measure in general use for a particular economic poison which will give accurate information to users as to the quantity of content, such terms shall be used on the label.

(2) When there is no general usage in the trade with respect to the terms of weight or measure of a particular economic poison, the content must be stated in terms of liquid measure if the product is a liquid, and in terms of weight if it is a solid, semisolid, viscous, or a mixture of liquid and solid.

(i) Liquids include all substances which flow freely like water and thus can be readily measured. Oils of low viscosity such as kerosene, creosote oil and pine oil are liquids. Emulsions with low viscosity are liquids, but emulsions of high viscosity such as mayonnaise, or viscous tars are not liquids within the meaning of this definition.

(ii) The terms solid, semisolid, viscous and mixture of liquid and solid include all products other than liquids.

(3) Statements of liquid measure must be in terms of the United States gallon, quart, pint and fluid ounce at 68° F., statements of weight must be in terms of avoirdupois pound and ounce.

(4) Some liquid economic poisons are usually sold by weight. Examples are nicotine sulfate solution containing 40% of nicotine and U. S. P. formaldehyde solution. The content of these liquid economic poisons must be stated in terms of weight.

(5) In a few cases economic poisons are sold in gelatine capsules and the contents of such capsules stated in terms of fluid drams. Where such usage has been general, the net content must be given in terms of the number of capsules each containing a stated number of fluid drams.

(6) Some disinfectants are made up in tablet form. When so prepared, objection will not be raised to giving the number of tablets and the weight of each.

(c) *Units of weight or measure.* Statements of net content must be in terms of the largest unit present, but in the case of added fractions of the largest unit, the fractional portion may be expressed in terms of a smaller unit. Thus, 3½ pounds may be stated as "3½ pounds" or "3 pounds, 8 ounces" 5½ gallons may be stated as "5½ gallons" or "5 gallons, 2 quarts" 3¾ quarts may be stated as

"3¾ quarts," "3 quarts, 1½ pints," or "3 quarts, 1 pint, 8 fl. oz." It is not permissible to state net contents such as 128 fluid ounces, 32 fluid ounces, 6 pints, 8 quarts, or 24 ounces since in each case the statement is not in terms of the largest unit present.

(d) *Permissible variations.* (1) If the contents are stated as a minimum quantity, the package must contain at least the quantity claimed. No variation below this quantity is permitted and any variation above the contents stated must not be unreasonably large.

(2) The net content is considered to be the average net content unless stated as a minimum quantity. Where average net content is used:

(i) The average content of the packages in any shipment must not fall below the quantity stated and variation above the quantity stated is permitted only to the extent that it represents deviations unavoidable in good packing practice.

(ii) There must be no unreasonable variation from the average in the content of any package.

(e) *Allowance for loss.* A statement of net content "when packed" does not comply with the requirements of the Act. The statement must be such that it will be correct as long as the economic poison is subject to the law. Thus, if a product such as borax may lose weight by drying out when stored in paper bags, it must be packed and labeled in such a way that the statement of net content will be correct when the product is purchased.

(f) *Location and prominence of net content statement.* (1) The net content statement must appear on the label of the container. It is not required to appear on the front panel of the label but it must be prominently placed with such conspicuousness as to render it likely to be read by the purchaser under customary conditions of purchase and use. In the case of drums or bags the net content may be plainly and conspicuously stenciled on the drum or bag. If a single label is printed for use on several different sizes of containers, the net content may be plainly inserted on each label with a rubber stamp or by any other methods which gives the information clearly.

(2) When the retail package contains smaller unit packets as, for example, for single doses, the net contents must appear on the retail package but need not appear on the individual packets. Thus, if a rodenticide is made up into individual baits enclosed in cellophane, and these baits are packed in a retail package, the net contents should be shown on the retail container but need not be shown on the individual baits. However, if the individual baits are at any time marketed separately, they must bear the net content statement as well as other required information.

(Pub. Law 104, 80th Cong., 61 Stat. 163; 7 CFR 162.3, 12 F. R. 6493)

This interpretative statement shall become effective on publication thereof in the FEDERAL REGISTER.

Issued this 14th day of July 1948.

[SEAL] H. E. REED,
Director Livestock Branch, Production and Marketing Administration.

[F. R. Doc. 48-6408; Filed, July 16, 1948; 8:54 a. m.]

[Interpretation 7]

PART 162—REGULATIONS FOR THE ENFORCEMENT OF THE FEDERAL INSECTICIDE, FUNGICIDE AND RODENTICIDE ACT

INTERPRETATION OF REQUIREMENTS WITH RESPECT TO DIRECTIONS FOR USE

(a) *Requirement of the act.* The act requires that the labeling accompanying each economic poison must contain directions for use which are necessary and, if complied with, adequate for the protection of the public.

(b) *When directions are required.* Directions for use are required whenever they are necessary for the protection of the public. The public includes not only users of economic poisons, but also those who handle them or may be affected by their use, handling, or storage. Directions for use are considered necessary in the case of most small retail containers which go into the hands of users, and in the case of larger containers with the following exceptions:

(1) Directions may be omitted where the economic poison is sold in containers of 50-pounds or more of a solid or 20 gallons or more of a liquid, *Provided:*

(i) The economic poison is a well-known substance or mixture of substances for economic poison purposes and is intended only for the use to which it is ordinarily applied, and

(ii) Is not a proprietary article—that is, one sold under a trade name and

(iii) Bears an ingredient statement giving the names and percentages of each of the active ingredients.

Examples of such products are 100-pound drums of naphthalene to be used against clothes moths, 50-pound bags of sulfur intended for spraying fruit trees, and 200-pound drums of calcium arsenate for dusting cotton. It may be presumed that purchasers of economic poisons in large amounts, such as those indicated, will be familiar with their uses and that no directions will be necessary.

(2) Directions may be omitted if the economic poison is to be used by manufacturers of products other than economic poisons in their regular manufacturing processes: *Provided.*

(i) Option 1 for the ingredient statement is followed, and

(ii) The label clearly shows that the product is intended for use only in manufacturing processes.

When a manufacturing process requires use of an antiseptic or disinfectant, the manufacturer may have to determine by tests with his own particular process how the antiseptic or disinfectant should be applied. Similar considerations may apply, for example, to the application of a mothproofing preparation in woolen finishing processes.

(3) Directions may be omitted if the economic poison is sold only to physicians or veterinarians, provided option 1 for the ingredient statement is followed.

(4) Directions may be omitted if the economic poison will be dispensed only on prescription of a physician or veterinarian, *Provided.*

(i) Option 1 for the ingredient statement is followed, or

(ii) The proportion of each of the active ingredients is clearly stated in addition to the ingredient statement as specified in option 2.

(5) Directions may be omitted if the economic poison is sold to distributors for dilution or mixing with carriers to prepare economic poisons for sale to the public, *Provided.*

(i) Option 1 for the ingredient statement is followed, and

(ii) The economic poison is a well-known substance or mixture of substances, and

(iii) There is readily available general knowledge of the composition, methods of use, and effectiveness of the product for economic poison purposes.

For example, the usual 20 to 1 pyrethrum extract is sold to mixers to prepare finished fly sprays. Its uses are well recognized and when its label bears the ingredient statement giving the percentages of pyrethrins and petroleum distillate, the mixer should know how to prepare his product without further instructions. On the other hand, if the concentrate has a new or unusual composition and if its properties are not well-known, it will be necessary that the mixer be furnished directions for use on the labeling.

(c) *Where directions shall appear* The directions, when required, shall appear on the labeling accompanying the article. The term "labeling" includes the actual label on the retail package and all circulars or leaflets accompanying it. The directions for use may, therefore, appear either on the label or on a circular or leaflet accompanying the economic poison.

(1) If the directions are placed on the label, they may be on the front, side or back panel, and they must appear with such conspicuousness and in such terms as to make them likely to be read and understood. Directions printed on the back of a front panel label of a bottle, so that they must be read through the bottle and its contents, are not ordinarily sufficiently conspicuous to fulfill this requirement of the law.

(2) If the directions are on a circular or leaflet, this circular or leaflet must accompany each retail package so that each purchaser will receive a copy of it. The circular or leaflet should be enclosed with, or securely attached to the retail container. Circulars or leaflets which are insecurely attached, as for example, by means of a rubber band, are likely to be lost. If the economic poison is packed in a bottle or other container enclosed in a wrapper or carton, the circular may be placed in the wrapper or carton with the immediate container of the economic poison. If the economic poison is a dry powder packed in a bag

or other container, the circular may be placed in the top of the bag or other container, where it will come to the purchaser's attention when he first opens the container. In this case, it is preferable to place on the label a statement such as "See directions on enclosed circular."

(d) *Adequacy of directions.* (1) The directions for use must be sufficient to protect the public. This means that the purchaser, if he follows them, will obtain the results promised him in the labeling, or which he may properly expect to obtain by use of the product, without injury to person or property. It does not mean that the directions need be exhaustive in every case. Some of the common economic poisons are intended for use against a large number of insects, plant diseases or weeds. Frequently the methods of control in different parts of the country vary and they may vary in a single place from year to year, depending on weather conditions. It would be manifestly impractical to include all directions for use on the labeling.

(2) The need for detailed directions for use will be greater in the case of the small user who is not in position to be well versed in the use of economic poisons than it will in the case of a large user who is likely to make a study of the properties of economic poisons and also to rely on local agricultural authorities for advice. The need is also greater in the case of new economic poisons or those of unusual composition than it is in the case of older, standardized materials.

(3) The following general considerations apply:

(i) Directions for use of economic poisons which are likely to be applied by householders or small gardeners, cattle raisers, etc., should be sufficiently detailed to give full information on usage. They should include methods of application, time of application, dilutions, if any, and when necessary they should provide for repeated treatments. The directions for use should be consistent with the caution or warning statement on the label.

(ii) Directions for use of well-known, standardized economic poisons which will be applied by professional pest control operators, may be more general in nature, giving instructions for use for some of the more important purposes and, when desirable, referring to local agricultural authorities for further information.

(iii) Directions for use of new or unusual economic poisons should be given in full detail so that the purchaser will know how the product is to be used. He will ordinarily have no other source of advice on the use of the product.

(e) *Applicability of directions.* Directions for use in the labeling of economic poisons are considered to apply in all parts of the country in which the product is marketed unless the labeling makes a direct statement to the contrary. It has been found that some pests are more easily controlled in certain parts of the country than in others. If an economic poison has a nationwide distribution, the directions for use should apply to all

parts of the nation. However, if work by the state experiment stations in certain sections of the country shows, for example, that a weaker dilution of the product will be effective against a certain insect in those particular sections than is required in other sections, objection is not raised to recommendation of the weaker dilution in the particular sections involved or to a reference to agricultural authorities in those sections for information as to usage there. If the product is marketed only in the sections where the weaker dilution has been found effective, the weaker dilution may be recommended without reference to the dilution required elsewhere. However, a statement to that effect should accompany the application for registration.

(f) *Clarity of directions.* The directions for use should be stated in such terms and with such clearness that they will be readily understood by the purchaser. It should be clearly indicated which directions are applicable to the control of each pest which the product is intended to control.

(g) *Broad claims.* The directions for use must not contain unjustified broad claims. Such claims, which are not acceptable in most cases, include the following:

(1) Broad references to insects, vermin, or a list of insects followed by the abbreviation "etc." which are likely to be interpreted as implying that the product will kill or control any or all insects or vermin.

(2) Claims for extermination of insects. (Objection is not raised to claims to kill or control particular kinds of insects if the product will give a reasonable control of such insects under the conditions of use.)

(3) Claims for sterilization when the product will not kill resistant spores under the specified conditions of use.

(4) General claims for the "control of plant diseases" or a list of plant diseases followed by the abbreviation "etc." which will give the impression that the product will protect against any or all plant diseases. (Objection is not raised to naming the specific plant diseases against which the product will furnish protection when used as directed.)

(5) Broad claims indicating killing or control of all weeds unless the product will kill or control all weeds under the specified conditions of use.

(6) Broad claims for use against rats or rodents if the preparation is not effective against all rats or rodents.

(7) Claims implying effectiveness of the economic poison under all conditions of use if it is not effective under all such conditions. When a product is not effective under certain conditions, as for example, in the presence of dirt, at low temperatures, or in the presence of other chemicals, the directions should make it clear that such conditions are to be avoided.

(h) *Responsibility for claims.* The shipper or guarantor of an economic poison is responsible for all claims made for it, including the directions for use. He should give only such directions as have been shown, when followed, to give an effective control of the pests involved

without injury to persons or desired plants or animals.

(Pub. Law 104, 80th Cong., 61 Stat. 163; 7 CFR 162.3, 12 F. R. 6493)

This interpretative statement shall become effective on publication thereof in the FEDERAL REGISTER.

Issued this 14th day of July 1948.

[SEAL] H. E. REED,
Director Livestock Branch,
Production and Marketing
Administration.

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[Interpretation 8]

PART 162—REGULATIONS FOR THE ENFORCEMENT OF THE FEDERAL INSECTICIDE, FUNGICIDE AND RODENTICIDE ACT

INTERPRETATION WITH RESPECT TO REGISTRATION REQUIREMENTS

(a) *Products which must be registered.* (1) Registration is required for all economic poisons that are distributed, sold or offered for sale in the District of Columbia or the territories, shipped or delivered for shipment in interstate commerce, exported, or imported from abroad, except economic poisons which are intended solely for experimental use. (These, however, may be subject to the permit requirements of the law)

(2) Custom mixes (special mixtures of economic poisons prepared on the order of and according to the specifications of the purchaser) are subject to the Act and must be registered. When rush shipment of such mixtures is required, special attention will be given to expediting the registration. When requested, telegraphic notification of registration at the expense of the registrant will be given.

(b) *Products for which registration is not required.* (1) Economic poisons which are made and used in the same state without entering interstate commerce need not be registered under the Act since they are not subject thereto. However, registration will not be denied them since it is possible they may be shipped out of the state.

(2) Economic poisons which are delivered for shipment to any foreign country need not be registered when they are prepared or packed in accordance with the specifications or directions of the foreign purchaser.

(3) Registration will not be issued for devices or other products which are not economic poisons.

(c) *Who may register an economic poison.* (1) Any manufacturer, packer, seller, distributor, or shipper of an economic poison may register it.

(2) If the manufacturer of an economic poison ships it in interstate or foreign commerce or distributes it in the District of Columbia or the territories, he will normally register it himself since it must be registered before such shipment or distribution. This is true whether the manufacturer ships it under his own label or under a label bearing the distributor's name.

(3) If the manufacturer sells to a distributor in the same state, the manufacturer may or may not register the product, but if he has not, registration by the distributor will be required before the product is shipped in interstate commerce.

(4) If a distributor has an economic poison made for him by two or more manufacturers following exactly the same formula and labeled with identical labels which bear his name as distributor but make no reference to the actual manufacturer, the distributor may register the product, obtaining a single registration to cover the material from all sources of manufacture. On the other hand, each manufacturer may register the product which he furnishes to the distributor, but in this case the manufacturer can register his own product only and it will be necessary for each manufacturer to have a separate registration.

(d) *The effect of registration.* (1) Registration is a device to bring the economic poison to the attention of the Department of Agriculture and to furnish an opportunity to correct obvious faults in labeling. It does not place the responsibility for correct labeling upon the Department though the Department does advise relative to revision of labeling, on the basis of available information. The shipper of the goods or the guarantor is responsible for the compliance of his labeling with legal requirements. Before placing the article on the market, he should have it thoroughly tested by experimentors competent to judge its effectiveness and make only such claims as are justified by the results of their tests. If it is likely to cause injury to human beings, or desirable plants or animals, its limitations from these standpoints should be determined and adequate cautions placed on the label. Determination should be made as to whether it is highly toxic within the meaning of the act and regulations and, if so, the label must bear the statements required with respect to highly toxic products. It is the purpose of the Act to protect the public before injury occurs rather than to subject the public to the dangers of experimentation and take action only after injury has occurred.

(2) Registration is not to be understood as indicating the Department of Agriculture's approval or recommendation of the economic poison.

(3) Federal registration does not remove the requirements for state registration in those states which require registration.

(4) When the economic poison has been registered, no further registration under the act is required if the product is in the manufacturer's or registrant's original unbroken immediate container, and if the claims made for it and the directions for its use do not differ in substance from the representations made in connection with the registration.

(e) *Multiple products.* A single registration applies only to a single economic poison, that is, to a product having the same composition, usually manufactured by the same person, and the labeling of which is identical with and bears the same claims as those cov-

ered by the registration. If a single registration is to cover the same product sold under other trade names and bearing the names and addresses of the distributors, statements showing such other names and labels shall be filed with the Livestock Branch. Thus, when a manufacturer prepares an economic poison under a stock label which does not bear his name but on which he prints names of the product and names and addresses of distributors, who obtain the product from him, the manufacturer may register the product under his name and file an additional statement showing the trade names under which the product will be sold and the names and addresses which will appear on the label. These additional statements may be filed at any time before the goods become subject to the law.

(f) *Procedure for registration.* (1) Applications for registration should be sent to the Insecticide Division, Livestock Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C. No fee is required. Application forms may be obtained from the Insecticide Division by request. Applications should be submitted as far in advance as possible and at least 30 days before it is desired that the registration take effect. In special cases, the Department will try to issue registrations in less than 30 days, but dependence should not be placed on obtaining registration in a shorter period except for real emergencies.

(2) As many products may be submitted for registration as desired with one application form. If there is not room on the form to name all of the products, their names may be continued on a separate plain sheet of paper attached to it.

(3) The blank spaces on the form should be filled in and the form signed by the proposed registrant or, if the registrant is a firm, by a responsible officer.

(4) With the filled in application for registration there should be submitted two "data sheets" for each product which it is desired to register. The "data sheet" should be 8½ inches by 11 inches in size. A sheet of heavy typewriter paper is satisfactory. On each data sheet should be clearly stated the name of the product, the name and address of the registrant and, if it does not appear on the label, a statement giving the name and percentage of each active ingredient in the product and any pertinent information about the inert ingredients. To each data sheet there should be attached a specimen of the label for the product and specimens of any leaflets, circulars, or other advertising material accompanying the product. If the same label, except for statement of net contents, is used for several sizes of the product, information as to the different sizes should be given and the label for only the smallest size need be submitted. All labels bearing different claims should be submitted. Before attaching the labels and other material to the "data sheet" the applicant should make sure that they include the required information which is as follows:

On the label:

(i) The name and address of the manufacturer, registrant, or person for whom manufactured.

(ii) The name under which the product is sold.

(iii) The ingredient statement.

(iv) The net weight or measure of content.

(v) Any caution or warning statement which may be necessary and, if complied with, will be adequate to prevent injury to living man and other vertebrate animals, and useful vegetation and invertebrate animals.

(vi) In the case of highly toxic materials, the word "poison" in red, the skull and crossbones and the antidote statement.

On the label, or on circulars, etc. accompanying the economic poison: Adequate directions for use when necessary for the proper use of the product.

(5) If the proposed registrant has doubt as to the legality of his labeling or proposed corrections for it, he may first submit a rough draft form for comment. After he has received the comment, he may revise and print the labeling and submit it in duplicate for registration.

(6) If the product is being recommended for any uses, or if any claims are being made for it, other than those on the labeling submitted, these should be shown on the data sheet. It is not desired, however, that the complete script of radio broadcasts, periodical advertising and other advertising material which does not accompany the economic poison be submitted.

(7) When the application is received in the Insecticide Division, it is examined to determine whether the composition of the product appears to be such as to warrant the proposed claims for it and whether the product, its labeling, and other material submitted appear to comply with the requirements of the act.

(8) If the information submitted is not sufficient to furnish a basis for action, the applicant may be asked to furnish additional information such as the complete formula for the product and a full description of the tests upon which the claims for the product are based. If the article or its labeling does not appear to comply with legal requirements, the applicant is notified wherein it fails to comply and given an opportunity to make corrections.

(g) *Effective period of registration.*

(1) The registration becomes effective on the date that the notice of registration is issued.

(2) A registration extends for five years unless canceled for cause or at the request of the registrant.

(3) The Department can, at any time, cancel a registration and issue a registration under protest, if such action is found necessary to protect the public.

(4) The Department can cancel the registration of an economic poison at the end of five years following the registration or at the end of any five-year period thereafter, unless the registrant, prior to the expiration of the five-year period, requests that such registration be continued in effect.

(5) A registration will be cancelled at any time on request of the registrant.

(h) *Changes in labeling or formulas.*

(1) If changes in substance in the labeling of a registered product or changes in its formula are to be made, a statement of the contemplated changes must be submitted to the Department in advance so that an amended registration or new registration may be issued, if such registration is justified.

(2) The statement should show or describe the exact changes to be made, describe any tests which justify the changes, and state the proposed effective date of the changes.

(3) The material submitted will be considered in the same manner as is an original submission. If new or amended registration appears justified, notification to that effect will be sent the registrant. Among reasons for which the new or amended registrations under the same name may be refused would be a reduction in strength or effectiveness of the product which would make it misleading to sell the new material under the old name.

(4) After the effective date of the new or amended registration the product shall be marketed only under the new claims or the new formula except that, upon request, a reasonable period of time may be allowed for the disposal of properly labeled old stocks. If the registrant desires to avail himself of this privilege, he should notify the Insecticide Division at the time of change of registration how much stock he has and when he expects it will be used up. Consideration will then be given to permitting its disposal.

(i) *Registration under protest.* (1) If upon receipt of a notice that his economic poison does not appear to warrant the claims made for it or that the article or its labeling does not appear to comply with the provisions of the act, the proposed registrant insists that corrections are unnecessary and requests in writing that it be registered as submitted, the economic poison shall be registered under protest. The notice of registration under protest will be accompanied by a warning in writing of the apparent failure to comply with the law.

(2) In the case of conviction for an offense concerning which he has been warned in connection with the issuance of a registration under protest, the act provides that the registrant shall be fined not more than \$1000 or imprisoned for not more than one year, or both fined and imprisoned, and the registration of the article shall terminate.

(3) Registration under protest should only occur when there is serious disagreement between the registrant and Department officials concerning the efficacy of, or labeling required for, an economic poison. Disagreements may in some cases be due to misunderstandings as to requirements. When they arise, it is the purpose of the Department to cooperate with the proposed registrant in an attempt to clear them up. It appears desirable that registration under protest be requested and issued only as a last resort.

(Pub. Law 104, 80th Cong., 61 Stat. 163; 7 CFR 162.3, 12 F. R. 6493)

This interpretative statement shall become effective upon publication in the FEDERAL REGISTER.

Issued this 14th day of July 1948.

[SEAL] H. E. REED,
Director, Livestock Branch, Production and Marketing Administration.

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[Interpretation 9]

PART 162—REGULATIONS FOR THE ENFORCEMENT OF THE FEDERAL INSECTICIDE, FUNGICIDE AND RODENTICIDE ACT

INTERPRETATION WITH RESPECT TO ADVERTISING WHICH DOES NOT ACCOMPANY AN ECONOMIC POISON

(a) *Requirement of the act.* Section 3 (a) of the act prohibits shipment or distribution of an economic poison if any of the claims made for it or any of the directions for its use differ in substance from the representations made in connection with its registration. It has been held that this includes any representations made by the manufacturer or registrant anywhere and by any means, including periodical and radio advertising.

(b) *Claims made in advertising.* Section 4a (3) of the act provides that the applicant for registration shall file a statement of all claims to be made for the economic poison including the directions for use. All claims for the economic poison or directions for its use, regardless of where made, must be filed. It is not required, nor is it desired, that all radio script, periodical advertising, etc., be submitted to the Department, but claims made over the radio or in periodicals, etc., which differ in substance from those made in the labeling, must be filed.

(c) *Co-operation with Federal Trade Commission.* Advertising in periodicals or over the radio is also subject to the laws enforced by the Federal Trade Commission. It will be the policy to co-operate with the Federal Trade Commission to insure that the Federal Insecticide, Fungicide, and Rodenticide Act will be administered in a manner to result in reducing to the absolute minimum any possibility of conflict with, or overlapping of the administration of, acts administered by the Federal Trade Commission. In furtherance of this policy there has been established a liaison, which is now in operation, for constant cooperation and coordination between the Federal Trade Commission and the Department Agriculture in the enforcement of the Federal Insecticide, Fungicide, and Rodenticide Act, and the Federal Trade Commission Act as they apply to economic poisons. In general, the policy will be for advertising, other than labeling, to be handled as in the past by the Federal Trade Commission. In the application of the above policy it is to be understood, however, that both agencies reserve the right to the full use of their respective powers when such use is necessary to protect the public interest.

(Pub. Law 104, 80th Cong. 61 Stat. 163; 7 CFR 162.3, 12 F. R. 6493)

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[Interpretation 10]

PART 162—REGULATIONS FOR THE ENFORCEMENT OF THE FEDERAL INSECTICIDE, FUNGICIDE AND RODENTICIDE ACT

INTERPRETATION WITH RESPECT TO LABELS FOR LARGE CONTAINERS

(a) *Requirement of the act.* The act requires labels on all containers of economic poisons which come within the scope of the act. It makes no exemption in the case of large containers such as tank cars, tank trucks, or drums. Therefore, all such containers must be labeled.

(b) *Where label must appear* (1) In the case of tank cars, the label may be attached to the panel borne by such cars for the purpose of attaching notices, or it may be placed directly on any conspicuous portion of the tank.

(2) In the case of tank trucks, a label attached to the tank would be technical compliance with the act. However, if a tank truck is used merely to deliver the economic poison to the user and the truck does not remain in the users' hands, a label attached to the tank would not be informative to him. In such cases it is considered permissible under the act to attach the label to the delivery receipt which is carried by the driver of the truck and left with the purchaser at the time of delivery of the goods.

(3) In the case of drums, the label may be a printed label attached to the drum or it may be stenciled on the drum. In either case it must be one which can be easily read.

(c) *What must appear on the label.* The following information must appear on the label:

(1) The name of the product. This must be the name under which it is registered with the United States Department of Agriculture.

(2) The name and address of the manufacturer, registrant, or person for whom manufactured.

(i) If the name is other than that of the manufacturer, the label should indicate this fact.

(ii) If the name is not that of the registrant, it must be the name of some other person or firm which has been added by a supplemental registration statement under the provisions of section 4a of the act.

(3) The net contents of the container, or in the case of a label attached to a delivery receipt of tank truck delivery, the net amount delivered.

(4) The ingredient statement.

(5) Any warning or caution statement which may be necessary to prevent in-

jury to living man and other vertebrate animals, useful vegetation, and useful invertebrate animals. This statement is particularly important on large containers, since leakage may occur and result in injury to persons or property unless they are warned to take adequate precautions.

(6) In the case of an economic poison highly toxic to man, the skull and crossbones, the word "poison" prominently in red, and an antidote statement.

(d) *Directions for use.* (1) Ordinarily large containers will be sold only to large users who are in better position to know how the economic poison is to be used than is the smaller user. Therefore, in the case of common materials such as creosote oil, lime sulfur solution, naphthalene, and Stoddard solvent, where the composition is clearly indicated on the label, it will not be necessary that any directions for use be given on the label or labeling of tank cars, tank trucks, 50-gallon or larger drums, or 200-pound or larger barrels of the economic poisons.

(2) In the case of products whose full composition is not shown by the label, directions for use must accompany the product.

(e) *Acceptable types of labeling.* (1) For creosote oil, free of water or free carbon.

Creosote Oil
ACTIVE INGREDIENT 100%

John Doe and Company
New York, N. Y.

Net contents ----- gallons

CAUTION: Avoid prolonged or repeated contact with the skin or breathing of the vapors.

(2) For naphthalene Flakes in a 200-pound barrel.

Naphthalene
ACTIVE INGREDIENT 100%

John Doe and Company
New York, N. Y.

Net weight 200 lbs.

(Pub. Law 104, 80th Cong., 61 Stat. 163; 7 CFR 162.3, 12 F. R. 6493)

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H. E. REED,
Director Livestock Branch,
Production and Marketing
Administration.

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Chapter VIII—Production and Marketing Administration (Sugar Branch)

PART 802—SUGAR DETERMINATIONS

PROPORTIONATE SHARES FOR FARMS IN DOMESTIC BEET, MAINLAND CANE, HAWAIIAN, AND VIRGIN ISLANDS SUGAR PRODUCING AREAS FOR 1948 CROP

Pursuant to the provisions of section 302 of the Sugar Act of 1948, the following determination is hereby issued:

No. 139—2

§ 802.3 *Proportionate shares for farms in the domestic beet, Mainland cane, Hawaiian and Virgin Islands areas—*(a) *Farm proportionate shares.* The proportionate share for the 1948 crop for each farm shall be as follows:

(1) In the domestic beet sugar area, the number of acres of sugar beets planted thereon for the production of sugar beets to be marketed (or processed by the producer) for the extraction of sugar or liquid sugar during the 1948 crop season;

(2) In the Mainland cane sugar area, the number of acres planted thereon for the production of sugarcane to be marketed (or processed by the producer) for the extraction of sugar or liquid sugar during the 1948 crop season;

(3) In Hawaii, the amount of sugar, raw value, commercially recoverable from sugarcane grown thereon and marketed (or processed by the producer) for the extraction of sugar or liquid sugar during the calendar year 1948; and

(4) In the Virgin Islands, the amount of sugar, raw value, commercially recoverable from sugarcane grown thereon and marketed (or processed by the producer) for the extraction of sugar or liquid sugar during the 1948 crop season.

(b) *Share tenant, share cropper and adherent planter protection.* Notwithstanding the establishment of a proportionate share for any farm under paragraph (a) of this section, eligibility for payment of any producer of sugarcane shall be subject to the following conditions:

(1) That the number of share tenants, share croppers or adherent planters on any sugarcane farm shall not be reduced below the number on such farm during the previous crop year, unless such reduction is approved by the respective State or Insular representative of the Production and Marketing Administration; and

(2) That such producer shall not have entered into any leasing or cropping agreement for the purpose of diverting to himself or other producer any payment to which share tenants, share croppers or adherent planters would be entitled if their leasing or cropping agreements for the previous crop year were in effect.

STATEMENT OF BASES AND CONSIDERATIONS

Requirements of the Sugar Act. Section 302 of the act provides that the amount of sugar with respect to which payment may be made shall be the amount of sugar (raw value) commercially recoverable from the sugar beets or sugarcane grown on a farm and marketed (or processed) for sugar or liquid sugar not in excess of the proportionate share established for the farm. Such proportionate share shall be the farm's share of the quantity of sugar beets or sugarcane required to be processed to enable the producing area to meet the quota (and provide a normal carryover inventory) estimated for the calendar year during which the larger part of the sugar from such crop normally would be marketed.

The act also provides that the Secretary shall, insofar as practicable, protect the interests of producers who are

share tenants, adherent planters or share croppers.

Situation in the various domestic sugar areas. In the beet sugar area, sugar from each crop is normally marketed during two calendar years, with larger marketings in the year following the beginning of harvest. Thus, the carry-over from any crop into the following calendar year may be a relatively high proportion of the crop and still not be regarded as excessive when compared with the quota for the calendar year ahead. The January 1, 1949 "effective" inventory for the beet sugar area will depend upon the size of the 1948 crop and the quantity of that crop which is marketed in 1948. (The term "effective inventory" as used herein, means the actual carry-over of sugar on January 1, plus the estimated quantity of sugar to be produced after January 1 from the crop of the preceding year.) The January 1, 1948, effective inventory was about 1,500,000 tons. The 1948 quota of 1,847,738 tons will thus permit the marketing of about 350,000 tons of new crop sugar in 1948. The March 19 report of the Bureau of Agricultural Economics on "Prospective Plantings for 1948" indicated that farmers intended to plant a 6.6 percent smaller acreage to sugar beets in 1948 than they did in 1947, and that if 10-year (1937-46) average yields per acre are obtained in 1948 the production of sugar beets will be 12.2 percent less than that of 1947. Current industry reports indicate that actual plantings probably are even smaller than estimated earlier. It is evident, therefore, that production of beet sugar from the 1948 crop will be considerably less than last year's crop of 1,833,000 short tons and also well below the base quota of 1,800,000 tons provided in the Sugar Act. Since the industry is permitted to market 350,000 tons of 1948 crop sugar prior to January 1, 1949, it is evident that its carryover as of that date will not be excessive in comparison with such base quota.

As in the case of the beet sugar area, sugar from each Mainland cane crop is normally marketed in two calendar years. However, the larger portion of the crop is marketed in the year in which harvesting begins. It is difficult to estimate the January 1, 1949 inventory at this time since it is too early to obtain a satisfactory estimate of the growing crop. Since the effective inventory for the area on January 1, 1948, was only about 170,000 tons and the 1948 quota is currently established at 513,260 tons, a total of more than 340,000 tons of 1948-crop sugar could be marketed prior to January 1, 1949, if available. Even if 1948-crop production in this area equalled the highest production of record (583,000 tons) the carryover into 1949 would not be excessive in comparison to the statutory base quota of 500,000 tons.

In Hawaii and the Virgin Islands, the sugar extracted from sugar-cane crops is normally marketed in the year in which it is produced, with comparatively small amounts carried over for marketing in the following year.

Stocks of sugar in Hawaii and the Virgin Islands on January 1, 1948, were negligible and production in 1948 is estimated at less than the quotas fixed by the

act. Consequently, no limitation on 1948-crop production is required in these areas.

Protection to share tenants, share croppers and adherent planters. The protection to share tenants, share croppers and adherent planters provided for in this determination is substantially the same as that contained in previous determinations. While the wording of such determinations for the respective sugarcane areas varied somewhat, there was no substantial difference in the protection provided. Accordingly, uniform provisions have been made applicable to such areas. As heretofore, the provisions are not made applicable to the beet sugar area where similar protection cannot be accorded practicably, because sugar beets grown on the average farm constitute not more than 25 percent of the total acreage of all crops.

Conclusion. In view of these circumstances, I hereby find and conclude that the foregoing determination, which permits unlimited production and marketing from the indicated sugar beet and sugarcane crops, and provides protection to share tenants, share croppers and adherent planters in the sugarcane areas, will effectuate the purposes of section 302 of the Sugar Act of 1948.

(Secs. 302, 403, Pub. Law 388, 89th Cong.)

Issued this 13th day of July 1948.

[SEAL]

I. W. DUGGAN,
Acting Secretary.

[F R. Doc. 48-6378; Filed, July 16, 1948;
8:47 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

[Lemon Reg. 282, Amdt. 1]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR, Cum. Supp., 953.1 et seq., 13 F R. 766) regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the preliminary notice and public rule-making procedure requirements and the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1946 ed. 1001 et seq.) is impracticable, unnecessary, and contrary to the public interest in that the time intervening between the date when information upon

which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

Order as amended. The provisions in paragraph (b) (1) of § 953.389 (Lemon Regulation 282, 13 F R. 3840) are hereby amended to read as follows:

(1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P s. t., July 11, 1948, and ending at 12:01 a. m., P s. t., July 18, 1948, is hereby fixed as follows.

(i) District 1. 825 carloads.

(ii) District 2: Unlimited movement.

(48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 14th day of July 1948.

[SEAL]

S. R. SMITH,
Director Fruit and Vegetable
Branch, Production and Mar-
keting Administration.

[F R. Doc. 48-6415; Filed, July 16, 1948;
8:55 a. m.]

[Lemon Reg. 283]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.390 *Lemon Regulation 283—(a) Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR, Cum. Supp., 953.1 et seq., 13 F R. 766) regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the preliminary notice and public rule-making procedure requirements and the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001 et seq.) is impracticable, unnecessary and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P s. t., July 18, 1948, and ending at 12:01 a. m., P s. t., July 25, 1948, is hereby fixed as follows:

(i) District 1. 700 carloads.

(ii) District 2: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," "prorate base," "District 1," and "District 2" shall have the same meaning as is given to each such term in the said amended marketing agreement and order. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 15th day of July 1948.

[SEAL]

S. R. SMITH,
Director Fruit and Vegetable
Branch, Production and Mar-
keting Administration.

PRORATE BASE SCHEDULE

DISTRICT NO. 1

Storage Date: July 11, 1948.

[12:01 a. m. July 18, 1948, to 12:01 a. m.
August 1, 1948]

Handler	Prorate base (percent)
Total.....	100.000
American Fruit Growers, Inc., Corona.....	.240
American Fruit Growers, Inc., Fullerton.....	502
American Fruit Growers, Inc., Upland.....	188
Hazeltine Packing Company.....	.367
Ventura Coastal Lemon Co.....	2.094
Ventura Pacific Co.....	1.721
Total A. F. G.....	5.110
Klink Citrus Association.....	000
Lemon Cove Association.....	000
Glendora Lemon Growers Association.....	908
La Verne Lemon Association.....	588
La Habra Citrus Association, The.....	1.267
Yorba Linda Citrus Association, The.....	1.111
Alta Loma Hts. Citrus Association.....	603
Etiwanda Citrus Fruit Association.....	414
Mountain View Fruit Association.....	496
Old Baldy Citrus Association.....	863
Upland Lemon Growers Association.....	4.909
Central Lemon Association.....	799
Irvine Citrus Association, The.....	1.235
Placentia Mutual Orange Association.....	320
Corona Citrus Association.....	449
Corona Foothill Lemon Co.....	2.622
Jameson Co.....	960
Arlington Heights Citrus Co.....	604
College Heights Orange & Lemon Association.....	2.750
Chula Vista Citrus Association.....	1.511
El Cajon Valley Citrus Association.....	128
Escondido Lemon Association.....	2.468
Fallbrook Citrus Association.....	1.013
Lemon Grove Citrus Association.....	487
San Dimas Lemon Association.....	1.043
Carpinteria Lemon Association.....	2.366
Carpinteria Mutual Citrus Association.....	2.833
Goleta Lemon Association.....	4.288
Johnston Fruit Co.....	5.619

PRORATE BASE SCHEDULE—Continued

DISTRICT NO. 1—continued

Handler	Prorate base (percent)
North Whittier Heights Citrus Association	0.735
San Fernando Heights Lemon Association	.669
San Fernando Lemon Association	.430
Sierra Madre-Lamanda Citrus Association	1.423
Tulare Co. Lemon & Grapefruit Association	.000
Briggs Lemon Association	3.207
Culbertson Investment Co.	.811
Culbertson Lemon Association	1.664
Fillmore Lemon Association	1.538
Oxnard Citrus Association No. 1	3.891
Oxnard Citrus Association No. 2	3.492
Rancho Sespe	1.121
Santa Paula Citrus Fruit Association	4.328
Saticoy Lemon Association	5.044
Seaboard Lemon Association	5.066
Somis Lemon Association	3.519
Ventura Citrus Association	1.795
Limoneira Co.	2.304
Teague-McKevett Association	.862
East Whittier Citrus Association	.491
Leffingwell Rancho Lemon Association	.703
Murphy Ranch Co.	1.279
Whittier Citrus Association	.426
Whittier Select Citrus Association	.253

Total C. F. G. E. 877.53

Chula Vista Mutual Lemon Association	.836
Escondido Co-op. Citrus Association	.263
Highland Mutual Groves	.000
Index Mutual Association	.260
La Verne Co-op. Citrus Association	1.532
Orange Co-op. Citrus Association	.197
Ventura County Orange & Lemon Association	2.854
Whittier Mutual Orange & Lemon Association	.152

Total M. O. D. 6.094

California Citrus Groves, Inc., Ltd.	.000
Dewars, Pieter	.001
Evans Brothers Packing Co.	.003
Flint, Arthur E.	.000
Furr, N. C.	.000
Harding & Leggett	.015
Iseley, W. J.	.000
Johnson, Fred	.011
Levinson, Sam	.000
Lorbeer, Carroll, W. C.	.000
Manos, Gus & William	.002
Orange Belt Fruit Distributors	.931
Rooke, B. G., Packing Co.	.000
San Antonio Orchard Co.	.080
Segal, Joseph	.000
Torn Ranch	.000
Walshe, Jack M.	.000
Zaninovich Bros., Inc.	.000

Total independents 1.043

[F. R. Doc. 48-6462; Filed, July 16, 1948; 9:53 a. m.]

[Orange Reg. 238, Amdt. 1]

PART 966—ORANGES GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

Findings. (1) Pursuant to the provisions of Order No. 66 (7 CFR, Cum. Supp., 966.1 et seq.) regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of

the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the preliminary notice and public rule-making procedure requirements and the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 237, 5 U. S. C. 1946 ed. 1001 et seq.) is impracticable, unnecessary, and contrary to the public interest in that the time intervening between the date when information upon which this amended regulation is based became available and the time when this amended regulation must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

Order as amended. The provisions in paragraph (b) (1) (i) of § 966.384 (Orange Regulation 238, 13 F. R. 3841) are hereby amended to read as follows:

(i) *Valencia oranges.* (a) Prorate District No. 1, unlimited movement; (b) Prorate District No. 2, 1400 carloads; and (c) Prorate District No. 3, unlimited movement.

(48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 14th day of July 1948.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable
Branch, Production and Mar-
keting Administration.

[F. R. Doc. 48-6414; Filed, July 16, 1948; 8:55 a. m.]

[Orange Reg. 239]

PART 966—ORANGES GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 966.385 *Orange Regulation 239*—(a) *Findings.* (1) Pursuant to the provisions of Order No. 66 (7 CFR, Cum. Supp., 966.1 et seq.) regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the preliminary notice

and public rule-making procedure requirements and the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1946 ed. 1001 et seq.) is impracticable, unnecessary, and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order.* (1) The quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. S. T., July 18, 1948 and ending at 12:01 a. m., P. S. T., July 25, 1948 is hereby fixed as follows:

(i) *Valencia oranges.* (a) Prorate District No. 1. Unlimited movement; (b) Prorate District No. 2: 1500 carloads; (c) Prorate District No. 3: Unlimited movement.

(ii) *Oranges other than Valencia oranges.* (a) Prorate District No. 1. No movement; (b) Prorate District No. 2: No movement; (c) Prorate District No. 3: No movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handler," "handler," "carloads," and "prorate base" shall have the same meaning as is given to each such term in the said order and "Prorate District No. 1," "Prorate District No. 2," and "Prorate District No. 3" shall have the same meaning as is given to each such term in § 966.107 (11 F. R. 10258) of the rules and regulations contained in this part. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 16th day of July 1948.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable
Branch, Production and Mar-
keting Administration.

PRORATE BASE SCHEDULE

[12:01 a. m. July 18, 1948, to 12:01 a. m. July 25, 1948]

VALENCIA ORANGES

Prorate District No. 2

Handler	Prorate base (percent)
Total	100.0000
A. F. G. Alta Loma	.6769
A. F. G. Corona	.1551
A. F. G. Fullerton	.6929
A. F. G. Orange	.4629
A. F. G. Riverside	.1136
A. F. G. San Juan Capistrano	.6775
A. F. G. Santa Paula	.6341
Hazeltine Packing Company	.4261
Placentia Pioneer Valencia Growers Association	.6332
Signal Fruit Association	.1376
Azuca Citrus Association	.3750
Covina Valley Orange Co.	.6394

RULES AND REGULATIONS

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Damerel-Allison Co.	0.8553
Glendora Mutual Orange Association	.3973
Irwindale Citrus Association	.3474
Puente Mutual Citrus Association	.2161
Valencia Heights Orchard Association	.4570
Covina Citrus Association	1.0620
Covina Orange Growers Association	.6649
Glendora Citrus Association	.3792
Glendora Heights Orange and Lemon Growers Association	.0592
Gold Buckle Association	.5968
La Verne Orange Association	.6858
Anaheim Citrus Fruit Association	1.0140
Anaheim Valencia Orange Association	.8656
Eadlington Fruit Co., Inc.	2.6068
Fullerton Mutual Orange Association	1.2444
La Habra Citrus Association	1.1189
Orange County Valencia Association	.7952
Orangethorpe Citrus Association	.8181
Placentia Coop. Orange Association	.7577
Yorba Linda Citrus Association	.6587
Citrus Fruit Growers	.1463
Cucamonga Citrus Association	.2254
Etiwanda Citrus Fruit Association	.0379
Mountain View Fruit Association	.0191
Old Baldy Citrus Association	.1337
Rialto Heights Orange Growers	.0554
Upland Citrus Association	.3962
Upland Heights Orange Association	.1533
Consolidated Orange Growers	1.9384
Frances Citrus Association	1.2660
Garden Grove Citrus Association	1.4054
Goldenwest Citrus Association, The	1.5405
Irvine Valencia Growers	2.7428
Olive Heights Citrus Association	1.6442
Santa Ana-Tustin Mutual Citrus Association	1.0727
Santiago Orange Growers Association	4.2777
Tustin Hills Citrus Association	2.3860
Villa Park Orchards Association, The	1.6539
Bradford Brothers, Inc.	.6297
Placentia Mutual Orange Association	1.6344
Placentia Orange Growers Association	1.7897
Yorba Orange Growers Association	.5386
Call Ranch	.0756
Corona Citrus Association	.6186
Jameson Co.	.0489
Orange Heights Orange Association	.3913
Crafton Orange Growers Association	.4251
E. Highlands Citrus Association	.0819
Fontana Citrus Association	.1209
Highland Fruit Growers Association	.0481
Redlands Heights Groves	.3186
Redlands Orangedale Association	.3393
Break & Son, Allen	.0641
Bryn Mawr Fruit Growers Association	.2833
Krinar Packing Co.	.2999
Mission Citrus Association	.1743
Redlands Cooperative Fruit Association	.3728
Redlands Orange Growers Association	.2579
Redlands Select Groves	.3122
Rialto Citrus Association	.2352
Rialto Orange Co.	.1606
Southern Citrus Association	.1544
United Citrus Growers	.1586
Zillen Citrus Co.	.0701
Arlington Heights Citrus Co.	.1176
Brown Estate, L. V. W.	.1585
Gavilan Citrus Association	.1708

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Hemet Mutual Groves	0.0678
Highgrove Fruit Association	.0620
McDermont Fruit Co.	.2015
Monte Vista Citrus Association	.1947
National Orange Co.	.0363
Riverside Heights Orange Growers Association	.0632
Sierra Vista Packing Association	.0613
Victoria Avenue Citrus Association	.2188
Claremont Citrus Association	.1833
College Heights Orange and Lemon Association	.2836
El Camino Citrus Association	.0737
Indian Hill Citrus Association	.2038
Pomona Fruit Growers Exchange	.4229
Walnut Fruit Growers Association	.5797
West Ontario Citrus Association	.3972
El Cajon Valley Citrus Association	.2995
Escondido Orange Association	2.6497
San Dimas Orange Growers Association	.5128
Andrews Bros. of Calif.	.3691
Ball & Tweedy Association	.5462
Canoga Citrus Association	1.0885
N. Whittier Heights Citrus Association	.9844
San Fernando Fruit Growers Association	.6908
San Fernando Heights Orange Association	1.1048
Sierra Madre-Lamanda Citrus Association	.4969
Camarillo Citrus Association	1.6826
Fillmore Citrus Association	3.8559
Mupu Citrus Association	3.1820
Ojai Orange Association	1.0717
Piru Citrus Association	2.1307
Santa Paula Orange Association	1.2096
Tapo Citrus Association	1.1784
Ventura County Citrus Association	.0343
Limonera Co.	.7396
East Whittier Citrus Association	.3970
El Ranchito Citrus Association	1.0001
Murphy Ranch Co.	.4758
Rivera Citrus Association	.4150
Whittier Citrus Association	.7029
Whittier Select Citrus Association	.4409
Anaheim Coop. Orange Association	1.1339
Bryn Mawr Mutual Orange Association	.1081
Chula Vista Mutual Lemon Association	.1317
Escondido Coop. Citrus Association	.4204
Euclid Avenue Orange Association	.5047
Foothill Citrus Union, Inc.	.0358
Fullerton Coop. Orange Association	.3142
Garden Grove Orange Coop., Inc.	.6880
Golden Orange Groves, Inc.	.2123
Highland Mutual Groves	.0327
Index Mutual Association	.2357
La Verne Coop. Citrus Association	1.3433
Mentone Heights Association	.0767
Olive Hillside Groves	.5551
Orange Coop. Citrus Association	.9842
Redlands Foothill Groves	.6150
Redlands Mutual Orange Association	.1365
Riverside Citrus Association	.0590
Ventura County Orange & Lemon Association	.9960
Whittier Mutual Orange & Lemon Association	.1324
Babjiude Corp. of Calif.	.3699
Banks Fruit Co.	.2283
Banks, L. M.	.3895
Borden Fruit Co.	.9274
California Associated Growers	.1876
California Fruit Distributors	.0947
Cherokee Citrus Co., Inc.	.1391
Chess Company, Meyer W.	.2888
Escondido Avocado Growers	.0206
Evans Brothers Packing Co.	.1527
Gold Banner Association	.2907
Granada Hills Packing Co.	.0401
Granada Packing House	1.7848
Hill, Fred A.	.0691

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Inland Fruit Dealers	0.0390
Orange Belt Fruit Distributors	1.6885
Panno Fruit Co., Carlo	.0783
Paramount Citrus Association, Inc.	.7454
Placentia Orchard Co.	.4086
San Antonio Orchard Co.	.3714
Snyder & Sons Co., W. A.	.2934
Stephens, T. F.	.2304
Torn Ranch	.0039
Wall, E. T.	.1094
Webb Packing Co.	.0382
Western Fruit Growers, Inc., Reds.	.6923

[F. R. Doc. 48-6490; Filed, July 16, 1948; 11:38 a. m.]

PART 981—IRISH POTATOES GROWN IN SOUTHEASTERN STATES

TERMINATION OF LIMITATION OF SHIPMENTS

§ 981.303 *Potatoes; limitation of shipments, Southeastern States; termination of § 981.302—(a) Findings.* (1) Pursuant to Marketing Agreement No. 104 and Order No. 81 (13 F. R. 2709) regulating the handling of potatoes grown in the Southeastern States production area, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Southeastern Potato Committee established under said marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of such potatoes no longer tends to effectuate the declared policy of the act.

(2) It is hereby further found that this order relieves the restrictions on potato shipments from the Southeastern States production area imposed by the provisions of § 981.302 (13 F. R. 3112) which is hereafter terminated, and that compliance with the preliminary notice and public rule making procedure requirements and the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001 et seq.) is impracticable and unnecessary in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order.* The provisions of § 981.302 (13 F. R. 3112) are hereby terminated as of 12:01 a. m., e. s. t., July 18, 1948. (48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 61 Stat. 202, 707; 7 U. S. C. 601 et. seq., 13 F. R. 2709)

Done at Washington, D. C. this 16th day of July 1948.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable
Branch, Production and Marketing Administration.

[F. R. Doc. 48-6487; Filed, July 16, 1948; 10:37 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Bureau of Animal Industry, Department of Agriculture

Subchapter A—Meat Inspection Regulations

PART 24—EXPORT STAMPS AND CERTIFICATES

SPECIAL REQUIREMENTS CONCERNING PRODUCT FOR EXPORTATION TO GREAT BRITAIN

Pursuant to the authority vested in the Secretary of Agriculture by the Meat Inspection Law, as amended (21 U. S. C. and Supp. 71-91) and after published notice (13 F. R. 2449) Part 24 of the Meat Inspection Regulations (9 CFR, 1945 and 1946 Supps., Part 24) is hereby amended as follows, effective upon publication in the FEDERAL REGISTER:

1. Section 24.4 (c) (3) is amended to read as follows:

(3) The lymphatic glands and/or serous membranes are required to be in close anatomical relationship to fresh meat cuts imported into England and Wales, except lymphatic glands in the case of mutton and lamb.

2. Section 24.4 (c) (4) is amended by adding at the end thereof the following note:

NOTE: The foregoing recommendations of the Association of Port Sanitary Authorities of the British Isles as to the inclusion of lymphatic glands in cuts of imported meat appear not to be applicable to mutton and lamb for importation into England or Wales in view of a recent amendment of the Public Health (Imported Food) Regulations, 1937, issued by the Ministry of Food in the United Kingdom, which permits the importation into England and Wales of mutton and lamb from which the lymphatic glands have been removed, and required the incision of certain lymphatic glands of sheep (not lamb) carcasses for importation into England and Wales. See § 24.4 (c) (5) (iii) and 24.4 (c) (7).

3. Section 24.4 (c) (5) (iii) is amended to read as follows:

(iii) Meat from which a lymphatic gland, except a gland necessarily removed in preparing the meat has been taken out: *Provided*, That mutton or lamb from which lymphatic glands have been removed are not prohibited importation into England and Wales.

4. Section 24.4 (c) is amended by adding thereto the following subparagraph:

(7) England and Wales prohibit the importation of sheep (not lamb) carcasses the post-mortem examination of which did not include incision of the prescapular, superficial inguinal, supra-mammary and precrucial lymphatic glands.

The purpose of the foregoing amendments is to bring the meat inspection regulations governing the exportation to England and Wales of sheep and lamb carcasses and meat therefrom into conformity with a recent revision of the Public Health (Imported Food) Regulations, 1937, of the United Kingdom. Immediate action to this end is essential in order to aid American exporters in shipping only product that will be acceptable on arrival at ports of England and Wales.

Good cause is, therefore, found in accordance with section 4 (c) of the Administrative Procedure Act (5 U. S. C. 1003 (c)) for making the foregoing amendments effective less than 30 days after publication in the FEDERAL REGISTER.

(34 Stat. 1260, as amended, 21 U. S. C. 71-91)

Done at Washington, D. C., this 13th day of July 1948.

Witness my hand and the seal of the Department of Agriculture.

[SEAL] I. W. DUGGAN,
Acting Secretary of Agriculture.

[F. R. Doc. 48-6377; Filed, July 16, 1948; 8:47 a. m.]

TITLE 15—COMMERCE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

Office of International Trade

[Third General Revision of Export Regulations]

REVISION OF EXPORT REGULATIONS

Introductory statement and explanation. The purpose of this Third General Revision of Export Regulations is to codify the regulations relating to the control of exports issued under the authority of the export control law, section 6 of the Act of July 2, 1940 (54 Stat. 714) as amended.

The Secretary of Commerce has re-delegated to the Director and Assistant Director of the Office of International Trade severally his powers and functions under the export control law, including the authority to issue such rules and regulations as may be necessary or proper to carry out the provisions of the law.

Since the export control authority under which these regulations are issued is administered by the Department of Commerce, in making this Third General Revision the regulations have been transferred from Title 32, Chapter VIII, to Title 15, Chapter III, of the Code of Federal Regulations and appear therein in Parts 370 to 399, inclusive.

This Revision supersedes the Second General Revision of Export Regulations issued April 19, 1945 and published in 10 F. R. 4418 et seq. as amended by Amendments Nos. 1 through 406, with the exception of saving clauses contained in any such amendments. Part 370 is a codification of presently effective orders which have heretofore been issued and published in the FEDERAL REGISTER. Orders issued hereafter will be published under this Part. This codification does not contain orders which have been revoked or otherwise have served their purpose. The Positive List of Commodities has been incorporated in Part 399, together with interpretations thereof and commodity processing codes. In addition, certain obsolete provisions of the export regulations have been deleted, minor revisions have been made in the text of the regulations for the purpose of clarification, and the order of various provisions has been rearranged.

Export license applications and other forms mentioned herein may be obtained from the Office of International Trade, Department of Commerce, Washington 25, D. C., and from the Department's field offices. All applications for validated export licenses must be submitted on Form IT 419, and must in all instances be accompanied by an acknowledgment card, Form IT 116. In connection with SP (Special) Licenses, an additional form, IT 375, must be submitted. The application form IT 419 requires, among other things, a statement of the name and address of the applicant, the consignor, the foreign purchaser, the foreign consignee, the party for whose account the applicant is exporting if for other than his own account, the commodities to be exported, the supplier thereof, foreign destination, end use, and export price. The certification appearing on the reverse side of the application form must be properly executed. The acknowledgment card, Form IT 116, must include the name and address of the applicant, the country of destination, the Schedule B number and processing code set forth on the application form. The form, IT 375, entitled SP (Special) License Application Material Requirements List, is supplementary to Form IT 419 in the case of special projects and special programs. Copies of the afore-described forms were filed with the Division of the Federal Register simultaneously with the filing of this Third General Revision of Export Regulations.

Part

- 370 Orders and delegations of authority.
- 371 General regulations.
- 372 General licenses.
- 373 Licensing policies and related special provisions.
- 374 Provisions for individual and other validated licenses.
- 375 SP (Special) licenses.
- 376 Technical data.
- 377 Denial of licensing privileges.
- 378 Appeals.
- 379 BLT (Blanket) licenses.
- 380 Multiple Consignee (MCL) licenses.
- 381 Licenses for Multiple Shipments of Gift Parcels.
- 382 Consolidated (CL) licenses.
- 399 Positive List of Commodities and related matters.

AUTHORITY: Parts 370 to 399, inclusive, issued under sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; 60 Stat. 215; 61 Stat. 214; 61 Stat. 321; Pub. Law 395, 80th Cong., 50 U. S. C. App. and Sup. 701, 702; E. O. 9630, September 27, 1945, 10 F. R. 12243; E. O. 9319, January 3, 1948, 13 F. R. 59.

PART 370—ORDERS AND DELEGATIONS OF AUTHORITY

Sec.

- 370.1 Representation by former employees before the Office of International Trade.
- 370.2 Orders modifying validity of export licenses.
- 370.3 Export preference assistance.

§ 370.1 *Representation by former employees before the Office of International Trade—(a) Purpose.* The purpose of this section is to regulate appearances before the Office of International Trade of former employees of the Office of International Trade or of the Foreign Economic Administration as representatives of third persons.

(b) *Prohibition against appearance of former employees before the Office of*

International Trade. No person shall appear or be permitted to appear before or otherwise deal with the Office of International Trade as the agent, attorney or representative of any individual, corporation, partnership or any group or body of persons, however designated, other than the United States or any department or agency thereof, if such person has at any time been officially associated with the specific transaction to which such appearance or dealing relates, as a full-time or part-time, compensated or uncompensated officer or employee of the Office of International Trade or any of its predecessor or constituent agencies.

§ 370.2 *Orders modifying validity of export licenses*—(a) *Consolidated licenses for iron and steel products.* The periods of validity of all outstanding valid Consolidated Licenses for the exportation of iron and steel products are modified as follows:

(1) Licenses validated prior to February 1, 1947 shall expire not later than November 30, 1947;

(2) Licenses validated during the month of February 1947 shall expire not later than December 31, 1947; and

(3) Licenses validated on and after March 1, 1947 shall expire not later than February 28, 1948.

Provided, That this section shall not operate to extend the validity period presently provided in any consolidated license, nor to reduce the validity period of any consolidated license which has been heretofore extended by the Department of Commerce.

(b) *Revocation of certain tinplate licenses.* All outstanding individual licenses validated by the Department of Commerce prior to December 1, 1947 authorizing the exportation of waste—waste tinplate, strips, rings and circles (Department of Commerce Schedule B Nos. 601300 and 601400) are revoked effective February 29, 1948, regardless of the period of validity provided for or in any such licenses.

(c) *Streptomycin.* Notwithstanding the provisions of any type of license issued or established in Parts 370 to 399, inclusive, of this chapter, no streptomycin shall be exported by means of mail to Germany from the United States.

(d) *Cigarettes and tobacco products to Germany.* (1) Effective May 26, 1947, notwithstanding the provisions of any of the general licenses established in Part 372 hereof, no cigarettes or tobacco products shall be exported to Germany from the United States. The provisions of this subparagraph shall not apply to shipments by the United States armed forces.

(2) The provisions of subparagraph (1) of this paragraph are amended so as to authorize the exportation to Germany of cigarettes and other tobacco products under the general license designated "Baggage", as set forth in Part 372 of this chapter, subject, however, to the following limitations:

Individuals leaving the United States who possess military entry permits for the American or British Zones of Germany are permitted to take as a part of their personal baggage, a maximum of 300 cigarettes, or 50 cigars and one pound of tobacco, for their personal use only.

§ 370.3 *Export preference assistance.* Under delegation of authority from the Office of Domestic Commerce, export preference assistance may be granted for tinplate and nitrogenous fertilizer materials. Request for such preference assistance shall be included in the export license application submitted covering such materials. In the case of tinplate the license application must show that the end use meets the provisions of § 373.5 of this chapter.

PART 371—GENERAL REGULATIONS

- Sec.
- 371.1 Definitions.
- 371.2 Prohibited exportations.
- 371.3 Revocation of licenses.
- 371.4 Return of revoked or expired licenses.
- 371.5 Transfer of licenses.
- 371.6 Amendments or alterations of licenses.
- 371.7 Presentation for export.
- 371.8 Arms, ammunition and implements of war, helium and tinplate scrap.
- 371.9 Shipments to territories, dependencies and possessions of the United States.
- 371.10 In transit shipments without unloading.
- 371.11 Re-exportation under license previously granted.
- 371.12 Shipments to Canada for re-exportation to another foreign country.
- 371.13 Prohibited exportations to certain consignees.
- 371.14 Exportation of gold.
- 371.15 Exportation of commodities subject to Atomic Energy Act.

§ 371.1 *Definitions.* When used in Parts 370 to 399, inclusive, of this chapter—

(a) "Person" shall be construed to mean the singular or plural, an individual, corporation, partnership, association, company or any other kind of organization whatsoever, including any government or agency thereof.

(b) "The United States" shall, unless otherwise specifically stated, be construed to include the District of Columbia, the Canal Zone, and all territories, dependencies and possessions of the United States.

(c) "Export control law" means section 6 of the act of July 2, 1940, 54 Stat. 714, as amended.

(d) "The Department of Commerce" shall be construed to refer to and include the Office of International Trade of the Department of Commerce.

(e) "Department of Commerce Schedule B numbers" refers to Schedule B Statistical Classification of Domestic and Foreign Commodities Exported from the United States issued January 1, 1945, by the Department of Commerce, as amended.

(f) "Commodity" means any article, material or supply except technical data.

(g) "Positive List of Commodities" means the list of commodities incorporated in § 399.1 of this chapter.

(h) "Validated license" means an individual or other type of export license or any other document authorizing exportation granted or issued by or under the authority of the Department of Commerce. The term also includes the phrase "licenses granted or issued upon application" and words of similar import and, unless the context otherwise indicates, the phrase "export license"

(i) "Application for license" and "license application" and words of similar import mean an application for a validated license.

(j) "General license" means a license established by the Department of Commerce for which no application is required and for which no document is granted or issued, available for use by all persons, permitting exportation within the provisions thereof as prescribed in Parts 370 to 399, inclusive, of this chapter.

(k) "Port of exit" includes, in the case of an exportation by mail, the place of mailing; "Collector of Customs" includes postmasters; and "Shipper's Export Declaration" includes any declaration required under regulations of other Government departments or agencies in connection with exportations.

(l) "Exporting carrier" includes any instrumentality of water, land or air transportation by which an exportation is effected.

(m) "Consignee" includes ultimate consignee or purchaser.

(n) "Accepted order" means an accepted order for export as described in § 373.2 (b) (1) of this chapter and includes, when accepted, an order of the kind described in § 374.1 (h) of this chapter.

§ 371.2 *Prohibited exportations*—

(a) *General provisions.* The exportation from the United States of all commodities and the exportation from the United States of all technical data as defined in § 376.1 of this chapter, except to Canada (including that part of Labrador under Canadian authority) or for the official use of or consumption by the United States armed forces when shipped by or consigned to any branch thereof, is hereby prohibited unless and until a license authorizing such exportation shall have been established or granted by the Department of Commerce:

(b) *Positive List of Commodities.* The commodities set forth on the Positive List of Commodities (incorporated in § 399.1 of this chapter) may not be exported from the United States to any destination unless and until a license authorizing the exportation shall have been applied for and granted or issued by the Department of Commerce, except where exportation of such commodities is authorized by the provisions of an established general license, as set forth in Part 372 of this chapter, and except where authorized with respect to certain commodities by the provisions of a footnote on the Positive List of Commodities, and where not subject as provided in paragraph (a) of this section to the general prohibition set forth therein.

(c) *Violations.* Violation by any person, of the export control law and any proclamation, order, rule or regulation issued thereunder are punishable by a fine of not more than \$10,000 or by imprisonment for not more than two years, or both. Violations are also subject to administrative action of suspension, revocation or denial of licenses and licensing privileges granted pursuant to the authority of the export control law. The submission of false or misleading statements is a violation hereunder punishable under the export control law, and other applicable statutes. In addition,

commodities attempted to be, or being, or intended to be, exported or shipped from or taken out of the United States in violation of the export control law or any proclamation, order, rule or regulation issued thereunder, are subject to seizure. With respect to licenses, the applicant to whom the license is issued becomes the licensee and will be held strictly accountable for use of the license.

§ 371.3 *Revocation of licenses.* All export licenses are subject to revision, suspension or revocation without notice.

§ 371.4 *Return of revoked or expired licenses.* Export licenses which have been revoked or which have expired must be returned immediately to the Department of Commerce.

§ 371.5 *Transfer of licenses.* (a) Export licenses shall not be transferred except by prior written authorization of the Department of Commerce.

(b) Transfer of export licenses may be effected only by amendment to the original license and only upon request of the licensee. Requests for transfers may be submitted to the Office of International Trade in Washington or to its New York office.

In requesting transfer of an outstanding license, the licensee must submit the original license and a signed request for the transfer. The request should be headed "Request for Transfer of Export License No. -----, Processing Code -----," and shall state:

(1) Name and address of proposed transferee.

(2) Whether any consideration has been or will be paid for the transfer.

(3) Reason why transfer is requested.

(c) In addition, the request for transfer must be accompanied by a signed letter from the person to whom transfer is to be made, headed "Request for Transfer of License No. -----," and stating:

(1) That if transfer is approved, the transferee will assume all the transferor's responsibility to the Department of Commerce under the license and export regulations.

(2) Whether any consideration has been or will be paid for the transfer.

(3) That the transferee has an order from the foreign purchaser named on the license for the commodities described thereon.

(d) A transfer of license may be granted in the following cases:

(1) Where the corporate or firm name of the licensee has been changed or the license is desired for use by a subsidiary corporation of the licensee.

(2) Where the entire or a substantial portion of the assets or business of the licensee has been sold or transferred.

(3) In exceptional cases, where there is proof that actual hardship will result to the holder of the license or to the purchaser in the foreign country if the request for transfer is disapproved.

No request for transfer will be approved if the commodity involved is licensed for export under the historical basis of licensing, unless the requested transfer falls within one of the foregoing categories.

Only one transfer of the same license will be approved.

§ 371.6 *Amendments or alterations of licenses.* (a) No amendments or alterations of export licenses may be made except by the Department of Commerce or by collectors of customs or postmasters acting under specific instructions from the Department of Commerce.

(b) Requests for amendments to licenses may be filed with the Office of International Trade, Department of Commerce, Washington, D. C., or with the Office of International Trade, New York, N. Y. Applications for amendment of licenses shall be made by submitting the following:

(1) The license which is to be amended.

(2) A letter in duplicate clearly setting forth the proposed amendment.

In emergencies, authorization may be granted upon application by telephone or telegram and without submission of the license. Such authorization, when granted, must be attached to the license.

§ 371.7 *Presentation for export.* (a) No commodities, the exportation of which is prohibited or curtailed pursuant to section 6 of the act of July 2, 1940, 54 Stat. 714, as amended, shall be loaded or carried onto an exporting carrier for export by water or by air or presented to such an exporting carrier for loading or presented to the collector of customs for inspection and clearance for exportation until a license therefor, or such other document or export authorization as may be provided for in Parts 370 to 399, inclusive, of this chapter, has been presented to the collector of customs at the port at which the commodity is to be so loaded, carried or presented. No commodity shall be mailed for exportation until a license or such other document or export authorization as may be provided for in Parts 370 to 399, inclusive, of this chapter, has been presented to the postmaster at the post office where the commodity is to be mailed. If the commodity is to be exported by any means of export other than by water, air, or mail, such license or other document or export authorization as may be provided for in Parts 370 to 399, inclusive, of this chapter need not be presented to the collector of customs prior to loading, carrying onto, or presentation to, the exporting carrier, but must be presented to the collector of customs at the port of exit from the United States prior to inspection by the customs inspectors or other export inspection officials at that port, and at all events prior to exportation. Upon specific authorization to a collector of customs or postmaster by the Department of Commerce, the presentation of a license may be waived.

(b) The use by any exporter of a license symbol or other designation, or both, on a Shipper's Export Declaration or parcel when such marking is required by the provisions of Parts 370 to 399, inclusive, of this chapter, for the purpose of clearing an exportation under any general license or validated license, shall constitute a certification by the exporter that the terms, provisions and conditions of the license involved have been met.

(c) Collectors of Customs and other Customs officials, as well as postmasters and other post office officials, are authorized to take appropriate action to

assure observance of the provisions of parts 370 to 399, inclusive, of this chapter and of general and validated licenses issued thereunder, including but not limited to inspection of commodities and technical data, at any time prior to departure of the exporting carrier.

§ 371.8 *Arms, ammunition and implements of war helium and tinplate scrap.* Regulations promulgated by the Secretary of State on June 2, 1942 (7 F. R. 4216 et seq.) shall continue to govern the exportation of arms, ammunition and implements of war, helium and tinplate scrap, except that no export license shall be issued where the proposed exportation would be contrary to the foreign policy of the United States.

§ 371.9 *Shipments to territories, dependencies and possessions of the United States.* (a) No license is required for shipments from the United States to any territory, dependency or possession of the United States.

(b) For the purpose of export control, the Trust Territory of the Pacific Islands (i. e., the Caroline Islands, the Marshall Islands and the Marianas Islands, except Guam, which is an island possession of the United States) shall be accorded the same treatment as the territories and possessions of the United States and, accordingly, an export license is not required for shipments of commodities thereto.

§ 371.10 *In transit shipments without unloading.* Commodities shipped by vessel from one foreign country and passing through the United States in transit to another foreign country may be exported without a license from the Department of Commerce if, while in waters subject to the jurisdiction of the United States, they have not been unladen from the vessel on which they entered such waters.

§ 371.11 *Re-exportation under license previously granted.* Shipments properly presented and cleared for exportation and exported which are returned to the United States because of failure or inability of the exporting carrier to deliver the shipment at its intended destination, may be re-exported to the consignee and destination to which the shipment was originally cleared without the procurement of a new license; *Provided*, That satisfactory evidence of the validity of the original clearance is submitted to a United States Collector of Customs.

§ 371.12 *Shipments to Canada for re-exportation to another foreign country.* The exportation from the United States of all commodities and all technical data as defined in § 376.1 of this chapter to Canada (including that part of Labrador under Canadian authority) with the knowledge or intention that they are to be re-exported therefrom to another foreign destination is hereby prohibited unless there has been established or granted upon application a license authorizing the exportation thereof to the country of ultimate destination.

§ 371.13 *Prohibited exportations to certain consignees.* The exportation from the United States of all commodities, and all technical data as defined in § 376.1 of this chapter, to any member of

the armed forces of an enemy country, who is a prisoner of war, except pursuant to general license established by § 372.25 of this chapter, is hereby prohibited, regardless of destination, unless and until an individual license authorizing such exportation shall have been issued by the Department of Commerce. Exportations may not be made under any general license to interned German or Japanese nationals.

§ 371.14 *Exportation of gold.* The gold regulations promulgated by the Secretary of the Treasury under the authority of the Gold Reserve Act of 1934 (31 CFR, Part 54) as amended, or as the same may be amended from time to time, shall govern the exportation of gold except that the exportation of fabricated gold (as defined in said regulations, except dental gold) of which not more than 80% of the total domestic value is attributable to the gold content thereof shall also be subject to Parts 370 to 399, inclusive, of this chapter.

§ 371.15 *Exportation of commodities subject to Atomic Energy Act.* Regulations promulgated by the Atomic Energy Commission under the authority of the Atomic Energy Act of 1946 (11 CFR, Parts 40 and 50) or as the same may be amended from time to time, shall govern the exportation of "source material" and "facilities for the production of fissionable material" as defined and described in said act and regulations.

PART 372—GENERAL LICENSES

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- 372.1 Definition.
 - 372.2 General provisions.
 - 372.3 General license country groups.
 - 372.4 Re-exportation from country of destination.
 - 372.5 Consignee control under general license.
 - 372.6 Consignor control under general license.
 - 372.7 Country group general license "GO"
 - 372.8 General license "GRO"
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 - 372.18 Export of certain vessels "VMC"
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 - 372.20 Return of certain commodities imported into the United States "GLR"
 - 372.21 General license for gift parcels.
 - 372.22 Exportation of relief shipments—"RLS"
 - 372.23 Publications not containing technical data "G-PUB"
 - 372.24 Bottle and container closures "GBC"
 - 372.25 Gift parcels to enemy prisoners of war.

§ 372.1 *Definition.* A "general license" is a license established by the Department of Commerce for which no application is required and for which no document is granted or issued, available for use by all persons, permitting ex-

portation within the provisions thereof as prescribed in Parts 370 to 399, inclusive, of this chapter.

§ 372.2 *General provisions.* (a) No exportation may be made pursuant to any general license established in this part unless prior to said exportation, whenever required by Parts 370 to 399, inclusive, of this chapter or by the regulations for the Collection of Statistics of Foreign Commerce and Navigation of the United States, a Shipper's Export Declaration describing the commodity or commodities to be exported has been filed with the Collector of Customs at the port of exit or with the Postmaster at the place of mailing; or, unless at the time of said exportation, whenever the filing of a shipper's Export Declaration is not required, an oral export declaration describing the commodity or commodities is made to a Collector of Customs at the port of exit.

(b) A person exporting any commodity pursuant to any general license established in this part shall enter on the Shipper's Export Declaration the name of the person to whom such commodity is ultimately consigned and the designation or symbol of the general license authorizing the exportation. In the case of exportations by mail the designation or symbol of the general license authorizing the exportation shall be written in ink on the address side of the wrapper of the parcel. The use of such designation or symbol shall constitute a certification by the exporter that the terms, provisions and conditions of the general license involved have been met.

(c) When two or more types of general licenses are applicable, any one of such general licenses may be used.

§ 372.3 *General license country groups.* Two general license country groups are hereby designated: Group R and Group O.

(a) Country Group R includes and consists of the countries and other destinations enumerated in the schedule set forth below in this paragraph. Group O consists of all countries and other destinations not included in Country Group R, except Canada (including that part of Labrador under Canadian authority)

COUNTRY GROUP R

Aegean Islands (including the Dodecanese Islands).
 Albania.
 Andorra.
 Austria.
 Belgium.
 Bulgaria.
 Czechoslovakia.
 Denmark (except Greenland).
 Estonia.
 Finland.
 France (including Corsica).
 French North Africa (including Algeria, Tunisia, and French Morocco).
 Germany.
 Gibraltar.
 Greece (and its Mediterranean Islands).
 Hungary.
 Iceland.
 Ireland.
 Italy (and its Mediterranean Islands).
 Latvia.
 Liechtenstein.
 Lithuania.
 Luxembourg.
 Malta, Gozo, and Cyprus Islands.
 Monaco.
 The Netherlands.

Norway.
 Poland and Danzig.
 Portugal (including Azores and Madeira Islands).
 Romania.
 San Marino.
 Spain and Possessions (including Balearic Islands; the Canary Islands; Spanish Morocco; Ceuta; Melilla; Ifni; Rio de Oro; Spanish Guinea, including Rio Muni and Fernando Po; Annobon, Corisco, and Elobey Islands).
 Sweden.
 Switzerland.
 Tangier (including the International Zone).
 Trieste, Free Territory of.
 Turkey (Asiatic and European).
 Union of Soviet Socialist Republics (European and Asiatic).
 United Kingdom of Great Britain and Northern Ireland.
 Vatican City.
 Yugoslavia.

(b) When a commodity is exportable under general license to a particular "Country Group" it may subject to the provisions of Parts 370 to 399, inclusive, of this chapter, be exported to any country or destination in that group.

§ 372.4 *Re-exportation from country of destination.* No exportation may be made under any type of general license with the knowledge or intention that the commodities so exported are to be re-exported from the country of destination unless the re-exportation has been authorized by the Department of Commerce, except that all commodities, the exportation of which is permitted under general license to any destination in Group O, may be re-exported from Canada or from any destination in Group O to any other destination in Group O.

§ 372.5 *Consignee control under general license.* (a) General licenses may be revoked or suspended as to any person in any destination.

(b) Shipment under a general license may be made to any consignee in any country of destination except to any person as to whom the general license has been revoked or suspended.

§ 372.6 *Consignor control under general license.* General licenses may be revoked or suspended as to any person within or without the United States by an order issued pursuant to the provisions of Part 377 of this chapter.

§ 372.7 *Country group general license "GO"* (a) A general license designated "GO" is hereby established, subject to the other provisions of this section, authorizing the exportation of all commodities, except those commodities included on the Positive List of Commodities (Part 399 of this chapter) to destinations in country group O as designated in § 372.3 (a)

(b) If reference is made to a footnote on the Positive List of Commodities which modifies or alters the general license established in this section the provisions specified in such footnote shall govern notwithstanding any other provision.

§ 372.8 *General license "GRO"* (a) A general license designated "GRO" is hereby established authorizing the exportation of certain commodities not included on the Positive List of Commodities (Part 399 of this chapter) but set forth in paragraph (b) of this section to all destinations.

(b) The following specified commodities may be exported under the provisions of this general license "GRO" to all destinations:

Dept. of Commerce Schedule B No.	Commodity	Dept. of Commerce Schedule B No.	Commodity
001500	Animals, edible:		Paper base stocks—Continued.
	Poultry, live.		Paper base stocks, n. e. s.—Continued.
002200	Meat products:	47555	Other paper stock, except wood pulp, rags, and waste paper.
	Horse meat (all kinds).	471400	Paper, related products, and manufactures:
090000	Other inedible animals and animal products:		Book paper, uncoated (except cypher paper, for military code books; field book paper).
090100	Horses, for breeding.	472000	Cover paper.
090300	Other horses.	472100	Greaseproof and waterproof paper except waxed paper, micro-crystalline, ammunition paper, cartridge paper, shell and shell-packing paper, blasting paper, and dynamite paper.
090500	Mules, asses, and burros.	472300	Wrapping paper, except kraft.
120700-122490	Live animals, n. e. s., except bees.	472400	Kraft wrapping paper.
130100-135098	Vegetables, fresh or frozen.	472500	Surface-coated paper, except tin-foil.
	Fruits and preparations.	472600	Cigarette paper.
	Table beverage materials:		Other tissue and crepe paper except cable electrical filling paper; capacitor tissue paper, kraft; condenser tissue; electrical conduit tissue; kraft condenser tissue; tissue not indexed under a specific name.
150500	Tea.	472900	Paper towels and napkins.
151100	Coffee, green.	473000	Kraft container board.
151200	Coffee, roasted.	473300	Other paperboard except gun wadding and munition board.
151300	Table beverage materials, n. e. s. (report cocoa beans in 150100; cocoa, powdered, in 150200; and chocolate in 150300).	473500-473900	Other paper products except filter paper, 474100; heavy fiber shipping containers of corrugated or solid container board, 474100; and envelopes, 475000.
	Spices:		Glass and products:
154901	Capiscum (ground or unground).	475000	Other glass except ophthalmic glass, glass for fire-control instruments, camera prisms (report plate glass in 521200; cylinder, crown, and sheet glass in 521500; laminated glass in 521750 and 521760; rolled glass, except colored, in 521800; rolled, cylinder, crown, and sheet glass, obscured by coloring prior to solidification, not less than 1/4 inch in thickness, in 522000, and optical glass except ophthalmic, in 522005).
154902	Cinnamon (ground or unground).	475100-475900	Tumblers, drinking glasses, stemware and table and kitchen glassware, n. e. s.
154903	Cassia (ground or unground).		Other nonmetallic minerals (previous included):
154905	Cloves, unground.		Grindstones.
154907	Nutmegs, unground.		Gypsum, crude, crushed, or ground.
154915	Vanilla beans (ground or unground).		Iron and steel manufactures:
154998	Spices, n. e. s. (report pepper, unground, in 154911).		Cutlery (not including machine knives, except metal-cutting, 611550).
	Sugar and related products:		Tin and galvanized hollow ware.
	Confectionery:		Table, household, kitchen, and hospital utensils, and hollow or flat ware.
163400	Chocolate candy.		Wood screws, iron and steel.
163500	Other candy.		Aluminum and manufactures:
163700	Confectionery and desserts, n. e. s.		Table, kitchen, and hospital utensils.
163900	Chewing gum.		Aluminum or aluminum-bronze powders and pastes, aluminum content.
170200-176000	Beverages, except malt extract and sirup.		Other nonferrous ores, metals, and alloys, except precious:
	Seeds, except oilseeds:		Plated ware, except cutlery (plated with non-precious metals only).
246700	Flower seeds.		Electrical machinery and apparatus:
247500	Seeds, except oilseeds, n. e. s. (report grass and field seeds in 240100-241900; vegetable seeds in 240350-240398).		Flashlights.
	Nursery and greenhouse stock:		Electric flat irons.
259905	Bulbs, roots, corms, plants, and seedlings.		Electric percolators, toasters, and waffle irons.
259998	Nursery and greenhouse stock, n. e. s.		Electric razors.
260110-262950	Tobacco and manufactures.		Office appliances:
	Miscellaneous vegetable products, inedible:		Staplers, and staples, for office use.
293100	Broomcorn.		Agricultural machinery and implements:
293500	Brooms.		Bee-keeping equipment.
	Wood unmanufactured:		Cream separators under \$30.
	Logs and hewn timber:		Other dairy equipment for farm use except milk shipping cans.
	Hardwoods:		Incubators and brooders.
400200	Cottonwood and aspen.		Poultry equipment, n. e. s.
400600	Hardwood burls.		Sprayers, and dusters:
403900	Firewood and other unmanufactured wood (report logs and hewn timber in 400100-401900; railroad ties in 402600, 402600; piling in 403100, 403200; telegraph, trolley and electric light poles in 403400).		Hand sprayers and dusters for trees and crops, \$2 and over.
	Sawmill products:		Small sprayers and dusters, for garden and household use, under \$2.
	Boards, planks, and scantlings, less than 5 inches in least dimension:		Lawn mowers, hand and power.
	Hardwoods:		Windmills.
411900	Chestnut.		Agricultural machinery and implements, n. e. s., except corn cribs, farm elevators, and forage and grain blowers (report implements of cultivation in 751000-753500; harvesting machinery in 754100-754500; seed separators in 756100, 756400; feed cutters, grinders, and crushers in 757000; tractors and parts in 757300-758300; hay presses, hand and power, in 758500; and parts for agricultural machinery, except tractors, in 759500).
412000	Cottonwood.		Other vehicles and parts:
412800	Magnolia.		Wheeltowers.
413900	Other hardwoods except balsa, dogwood, and persimmon (report ash in 411700; birch, beech, and maple in 411800; gum, red and sap in 412100; gum, tupelo and black in 412200; hickory in 412300; oak in 412400; poplar in 412500; walnut in 412600; mahogany in 412700; lignum-vitae in 412900; teak in 413000; oak flooring in 413100; other hardwood flooring in 413200; wagon-oak planks in 413400; small hardwood dimension stock in 413500, 413700, and 413800).		Medicinal and pharmaceutical preparations:
	Box shooks:		White mineral oil, medicinal grade.
414000	White, ponderosa, and sugar pine.		Vitamins and vitamins.
414100	Southern pine.		Motion picture films, exposed or developed—negative and positive.
414200	Hemlock and spruce.		Miscellaneous office supplies except printing and lithographic ink.
414300	Gum.		Toys, athletic and sporting goods:
414900	Other.		Toys.
	Wood manufactures:		Miscellaneous commodities, n. e. s.
	Cooperage:		Thermos bottles, canes, jars, jugs, and other thermos bottles, containers, and parts.
420200	Slack staves.		Pearl or shell buttons.
420400	Slack headings (set: two heads, top and bottom).		Lamp and illuminating devices, except electric.
420600	Slack shooks.		Toothbrushes.
422200	Lath.		Toilet brushes, except toothbrushes.
422500	Shingles.		Household brushes.
423000	Venetian blind slats.		Soda fountain equipment and bar supplies.
	Furniture of wood:		
424200	Chairs, chief value wood.		
424400	Office furniture and store fixtures, chief value wood.		
424700	Other wood furniture, chief value wood.		
424800	Wood furniture, chief value upholstery (wood predominating in frame construction).		
429850	Woodenware (kitchen and household).		
	Paper base stocks:		
460000	Pulpwoods.		
	Paper base stocks, n. e. s.		
	Rags for paper stock:		
469000	Valued \$50 or over per ton.		
469100	Valued under \$50 per ton.		
	Waste paper:		
469805	Overissue news.		
469809	Other waste paper.		

§ 372.9 *General in transit license "GIT"*—(a) *General provisions.* There is hereby established a general license designated "GIT" authorizing, subject to the other provisions of this section, the exportation from the United States of shipments of commodities moving in transit through the United States for which no formal or informal consumption entry has been made at a United States Customhouse, which originate in and are destined to any foreign country.

(b) *Excepted commodity list.* The following commodities may not be exported to any destination under this general license:

Commodity	Schedule B No.	Schedule L No. ¹
Jute ²	320509	330
Jute yarn, cordage and twine ²	321100	330
Bags of jute, new and used ²	322401	330
Jute burlaps ²	322605	330
Beryllium metal.....	664905	686
Gallium metal.....	664998	686
Radium metal, radium content.....	664950	686
Polonium metal.....	664998	686
Radium salts and compounds for medical use (state radium content).....	813590	810
Radon (radium emanations).....	813590	810
Actinium-bearing salts and compounds.....	839900	830
Beryllium salts and compounds including beryllium carbonate and beryllium oxide.....	839900	830
Chemicals containing artificial radioactive isotopes.....	839900	830
Gallium salts and compounds.....	839900	830
Polonium-bearing salts and compounds.....	839900	830
Radium ore concentrates.....	839900	830
Radium salts and compounds (state radium content).....	839900	830

¹ The Department of Commerce Schedule L number is shown for each commodity. All shipments of merchandise for which the shipper's export declaration for in transit goods or the defense aid shipper's export declaration for in transit goods is required must be reported in terms of Schedule L, as well as Schedule B.

² License applications covering shipments of these jute products moving in transit through the United States to a foreign destination must be accompanied by documentary proof that such shipments are in fact in transit shipments, and that the shipments have been charged to jute quota of the country of destination and not to that of the United States. Such proof may consist of (1) a photostat copy of the consular invoice of the country of destination, or (2) a copy of the bill of lading from the shipper or any other official document showing the country of destination.

§ 372.10 *Shipments of limited value "GLV"*—(a) *Purpose and symbol.* There is hereby established a general license designated "GLV" authorizing the exportation from the United States of shipments within certain specified value limits.

(b) *Definitions and interpretations.* The following definitions and interpretations are applicable to this section.

(1) "Single shipment" means the shipment of all commodities which move at the same time from one exporter to one importer on the same exporting carrier.

(2) "Net value" means the actual selling price less shipping charges or the current market price to the same type of purchaser in the United States, whichever is the larger.

(3) "One importer" is interpreted as follows: For exportation under the provisions of this section, not more than the amount authorized under this general license may be exported in a single shipment from a designated exporter to a designated consignee or to an intermediate consignee even though such shipment is to be forwarded to one or more ultimate consignees.

(c) *General provisions.* (1) Subject to the special provisions as designated and set forth below in this section, all commodities included on the Positive List of Commodities (Part 399 of this chapter) which have a dollar value specified may be exported to Group R destinations, or to Group O destinations where, in a single shipment, the net value of the commodities classified in a single entry on the Positive List does not exceed the specified dollar value limit in the column headed "GLV Dollar Value Limits"

(2) Commodities not included on the Positive List of Commodities may be exported to Group O destinations without value limit under the general license set forth in § 372.7. Such commodities may be exported under general license GLV to Group R destinations where, in a single shipment, the net value of all the commodities classified under a single Schedule B number does not exceed \$100.

(3) Commodities licensed by other government agencies and commodities included on the Positive List of Commodities with the word "none" in the column headed "GLV Dollar Value Limits" may not be exported under this general license.

(4) Where an asterisk precedes the dollar value limit for any commodity on the Positive List of Commodities, all forms, conversions and derivatives of such commodity, even though not covered by the Schedule B number for the entry, are included in the value specified.

(d) *Use of other general licenses not restricted.* The provisions of this section shall not be construed as limiting the use of any other general license specifically authorized.

(e) *Special provisions for Mexico.* (1) Exportations to Mexico under the provisions of General license "GLV" are permitted only when such shipments are made in conformity with one of the following two conditions:

(i) The shipment is a "single shipment" as defined in paragraph (b) of this section, provided that such shipment is transported by a common carrier or is a mail shipment; or

(ii) If the shipment is not a mail shipment or is transported otherwise than by a common carrier not more than one such shipment may be made by or on behalf of the same exporter to or for the account of the same ultimate consignee during the same calendar week.

(2) Any person making an exportation to Mexico under this general license which is not a mail shipment and which is to be transported otherwise than by common carrier shall enter on his Shipper's Export Declaration covering such shipment an additional certification in the following form:

The undersigned certifies to the Department of Commerce that the merchandise above described is the only shipment of the commodity(ies) classified under the Schedule B number(s) set forth herein to be exported under the provisions of general license "GLV" by the undersigned exporter to the consignee named herein during the current calendar week.

(Signed)

(3) Collectors of Customs are authorized to limit or prevent altogether the exportation of any commodity to Mexico under this general license whenever they shall have cause to suspect that such exportation is being made for the purpose or with the intent of evading any of the regulations of the Department of Commerce.

(4) In any case where the Collector of Customs determines that the limitations in subparagraph (1) (ii) of this paragraph would create an undue hardship or that an emergency exists in a particular case, he is authorized to permit more than one such shipment in a calendar week under this general license: *Provided*, That the value of each such shipment does not exceed the value limitation provided for the commodities included in such shipment under this general license.

(f) *Special provisions for streptomycin.* Exportations of streptomycin under the provisions of General License "GLV" are permitted only when such shipments are made in conformity with the following conditions: (1) Regardless of the number of shipments and number of consignees involved, no streptomycin of a total net value in excess of the specified dollar value limit of \$100, as set forth on the Positive List of Commodities, may be exported by or on behalf of any one exporter during the same calendar week.

(2) Any person making an exportation of streptomycin under this general license shall enter on his Shipper's Export Declaration covering such shipment an additional certification in the following form:

The undersigned certifies to the Department of Commerce that the total value of all export shipments of streptomycin (including this shipment) made under general license GLV by the undersigned exporter to all consignees does not exceed \$100 during the current calendar week.

(Signed)

§ 372.11 *Personal baggage and personal effects "baggage"* (a) A general license, designated "Baggage," is hereby established, subject to the provisions of this section, authorizing exportation of the following classes of commodities:

(1) *Personal baggage.* Boxes, trunks, and other luggage containing items of a personal nature, such as clothing, books, toilet articles, electric razors, electric irons, articles of personal adornment, foodstuffs, soap, medicinals, unexposed photographic film, cameras, firearms and ammunition, souvenirs, etc.¹

(2) *Personal effects.* (i) Household articles. Furniture, refrigerators, radios, decorations, and other household furnishings.

(ii) Professional instruments and tools of trade. All instruments, tools, and apparatus, which are used by the person in his profession or trade.

(iii) Vehicles. Passenger cars, station wagons, trucks and trailers, and motorcycles.

Provided, That such commodities are exported or taken out of the United

¹ For exception to order prohibiting exportations under general license of cigarettes or tobacco products to Germany, order dated May 22, 1947 (12 F. R. 3408) see order dated May 5, 1948 (13 F. R. 2582) also set forth in § 370.2 (d) of this chapter.

States by a person leaving the United States for his individual use or the use of his immediate family and *Provided further* That no commodities intended for resale or for use by persons other than the exporter or his immediate family may be exported under this general license.

(b) The provisions of this general license are applicable to accompanied and unaccompanied personal baggage, which are defined as follows:

(1) *Accompanied.* All commodities exported under this general license on the same carrier on which the passenger departs.

(2) *Unaccompanied.* All other shipments of commodities under this general license. Unaccompanied shipments under this category shall be clearly marked "Baggage"

(c) *Special provisions.* The following provisions with respect to certain commodities are applicable to exportation of such commodities under this general license:

(1) *Foods and soaps.* The total domestic retail value of all soap, butter, and other edible fats and oils shall not exceed \$5.00. The total domestic retail value of meat and meat products, soap, butter and other edible fats and oils shall not exceed \$50.00.

(2) *Firearms and ammunition.* No more than 3 firearms and no more than 500 cartridges, subject to the regulations governing the international traffic in arms, ammunition, and implements of war promulgated by the Department of State, may be exported under this general license.

(d) Customs officials may limit or prohibit the export of any commodity or commodities under this general license whenever the quantity is in excess of the limitations set forth in this section; whenever in their judgment the amount is excessive; or whenever they shall have cause to suspect that such exportation is being made for the purpose or with the intent of evading any of the regulations of the Department of Commerce.

§ 372.12 *Dunnage "GLD"* (a) A general license designated "GLD" is hereby established authorizing the exportation of dunnage when exported solely for use as dunnage on the immediate voyage of an exporting carrier: *Provided*, That the amount of said dunnage to be exported on any such carrier does not exceed the amount necessary to properly stow or secure the cargo then being carried.

(b) When used in this section, "dunnage" shall mean any lumber of a grade No. 3 common or lower, matting, jute or burlap bagging, paper or other materials customarily used to secure or stow cargo aboard a vessel, when such materials are not carried as cargo and not assessed freight charges. Materials of better quality than defined in this section may be used as dunnage only when it has been established to the satisfaction of the Collector of Customs that ordinary grades are unobtainable.

(c) Jute and jute burlap may be used as dunnage only when it has been established to the satisfaction of the Collector of Customs that minimum quantities have been employed and maximum use has been made of available substitutes.

§ 372.13 *Ship and plane stores, supplies and equipment—*(a) *Ship stores, etc.* A general license is hereby establishing authorizing exportation on freight and passenger vessels of registry of any country departing from the United States, of the following commodities:

Bunker fuel.
Deck, engine and steward department stores, provisions and supplies for both port and voyage requirements.
Medicinal and surgical supplies.
Food stores.
Equipment and spare parts for permanent use on a vessel when necessary for proper operation of such vessel and subject to approval of the Collector of Customs.

Provided, That such commodities are for use or consumption on board during the outgoing and any immediate return voyage, and are scheduled in such quantities as the Collector of Customs deems necessary and reasonable.

(b) *Maritime Commission vessels.* Vessels which are owned by or under charter to the U. S. Maritime Commission may export bunker fuel, ship stores and food stores under this general license in such quantities as are approved by an authorized representative of the U. S. Maritime Commission.

(c) *Plane stores, etc.* A general license designated "Plane Stores" is hereby established authorizing the exportation in planes departing from the United States of fuel, ordinary plane stores and supplies for use or consumption during the outgoing trip of such planes and any immediate return trip scheduled, and of equipment and spare parts when necessary for the proper operation of such planes.

§ 372.14 *Containers "G-MDC"* A general license designated "G-MDC" is hereby established authorizing the exportation to any destination of all types of containers, such as metal drums, gas cylinders, bags, crates and boxes, when filled with any commodity the exportation of which is authorized under general license or under any type of export license document issued by the Department of Commerce or the Department of State.

INTERPRETATION No. 1 UNDER § 372.14 CONTAINERS—"G-MDC"

The following interpretation is hereby issued under § 372.14 containers "G-MDC" concerning jute burlaps:

In view of the difficulties that have arisen in determining whether jute burlaps used as containers or coverings for other merchandise require validated licenses for export, the following interpretation is issued in clarification of the matter:

(a) Jute burlaps, classified under Schedule B No. 322905, require validated licenses when exported as commodities.

(b) Standard containers of jute or burlap used for packaging other products are properly classified as "containers, filled," rather than as jute or burlap. Accordingly, they are not classified under Schedule B No. 322905, and they do not require validated licenses but may be exported under this general license.

(c) However, in view of the critical supply of jute and burlap, Collectors of Customs have been authorized to clear shipments of merchandise packaged in new jute or burlap only where the cover is a pre-formed container of customary use in the exportation of the merchandise presented for shipment.

Other new jute or burlap wrappings require a validated license for export. Nevertheless, used jute or burlap wrappings, if clearly unsuitable for the manufacture of bags, may be shipped as a cover for other materials under this general license.

§ 372.15 *General license "GUS"* A general license designated "GUS" is hereby established authorizing exportations as follows:

(a) *To members of the United States Armed Services.* Commodities in quantities sufficient solely for the personal use of the consignees and their immediate families; articles for personal use may include household effects, food, beverages, and daily necessities.

(b) *To representatives of the United States.* (1) Exportations for the personal use of the consignee, and/or his immediate family and/or employees; articles for personal use may include household effects, food, beverages, and daily necessities.

(2) Exportation of equipment and supplies for the office use of the representative or for use by the representative or his employees in the performance of their official duties. Under this general license the following classes of commodities are included: Stationery supplies, typewriters, adding machines, office furniture, and other comparable office equipment; cleaning supplies, mechanical and electrical supplies and other building maintenance supplies; uniforms, motor cars and trucks, and automobile parts; flags, foodstuffs, books, professional and scientific instruments, apparatus and supplies; medicinals, medical supplies and vaccines; photographic equipment, including unexposed film, plates, and paper.

§ 372.16 *Exportations by citizens of foreign countries serving in the United States Armed Forces "GAF"* (a) A general license designated "GAF" is hereby established authorizing the exportation of household articles, personal effects, professional instruments, and passenger automobiles by any person serving in the armed forces of the United States who is not a citizen of the United States: *Provided*, That

(1) The exportation is made to a country wherein the exporter or his next of kin maintain a residence.

(2) A certificate in the form prescribed in subparagraph (3) of this paragraph signed by the exporter and countersigned by his commanding officer, shall be filed with the Collector of Customs at the port of exit or with the Postmaster at the place of mailing when the exportation is made by mail, and

(3) The exportation is not made for purposes of resale.

CERTIFICATE

I hereby certify that I am a member of the armed forces of the United States; that I am not a citizen of the United States; that the articles listed below are my property; that such property is being exported to a country wherein I or my next of kin maintain a residence; and that such property is not being exported for the purpose of resale.

(List of articles)

(Signature and serial number)

(Commanding Officer, Rank and Unit)

(b) When used in this section: (1) "Household articles" shall include furniture, refrigerators, radios, decorations and other household furnishings.

(2) "Personal effects" shall include clothing, books, toilet articles, souvenirs, articles of personal adornment, personal firearms, hunting guns, limited to three, cameras and similar articles.

(3) "Professional instruments" shall include tools of trade required by a person in his occupation, profession, or employment.

§ 372.17 *General License "GLC"* A general license, designated "GLC" is hereby established authorizing the exportation of trucks, buses, trailers, railroad rolling stock and other commercial vehicles when operated by private or common carriers between the United States and other countries: *Provided*, That such vehicles, except those imported into the United States from a foreign country shall not be exported for the purpose of resale.

§ 372.18 *Export of certain vessels "VMC"* A general license designated "VMC" is hereby established authorizing the exportation of any vessel to a destination in Country Group R or Country Group O when transfer of the vessel to a person not a citizen of the United States or the placing of the vessel under foreign registry or flag has been duly authorized by the United States Maritime Commission.

§ 372.19 *Commodities sold at auction by Bureau of Customs "GCC"* A general license designated "GCC" is hereby established authorizing the exportation to all destinations of commodities which are refused entry into the United States and are sold at auction by the Bureau of Customs for export only: *Provided*, That a certified Customs Bill and/or Receipt (Form 5117A) is presented to the Collector of Customs at the port of exit or the Postmaster at the place of mailing as evidence of the purchase at such auction.

§ 372.20 *Return of certain commodities imported into the United States "GLR"* A general license designated "GLR" is hereby established authorizing exportations as follows:

(a) Machinery, or parts of machinery, shipped to the United States for repair purposes may be returned to the country of origin, as well as replacement parts which are added and rebuilt parts which are substituted when the identical parts imported are not returned.

(b) All articles and materials which have been imported into the Panama Canal Zone from the Republic of Panama for the purpose of being repaired or processed may be returned to the Republic of Panama.

(c) Metal drums, gas cylinders, bags and other containers used in shipping articles and materials to the United States from any destination may be returned empty.

(d) Newsprint cores made of any kind of material, whether imported into the United States separately or as a part of the packing of imported newsprint paper, may be returned to any destination from which imported.

§ 372.21 *General license for gift parcels—(a) General license.* There is hereby established a general license authorizing the exportation of gift parcels, as defined in paragraph (b) of this section, to all destinations to which parcel post or air express service is available: *Provided*, That such exportations are made in accordance with the following provisions of this section.

(b) *Definition.* For the purpose of this general license a gift parcel is defined as a parcel containing commodities donated free of cost to an individual in a foreign country for the personal use of such individual or his immediate family. Exportations under this general license are confined to parcels mailed by parcel post or shipped by air express to an individual.

(c) *Size and weight limitations—(1) Parcel post.* Gift parcels mailed by parcel post shall conform to the applicable Post Office Department regulations as to size and weight.

(2) *Air express.* No gift parcel shipped by air express shall exceed in weight a total of twenty-two (22) pounds.

(d) *Other limitations.* Gift parcels may be sent by means of parcel post or air express to individuals in all destinations to which such service is available, subject, however, to the following further limitations:

(1) The combined total domestic retail value of all soap, butter and other edible fats and oils included in each gift parcel shall not exceed \$5; and the combined total domestic retail value of all streptomycin, quinine sulfate, and quinine hydrochloride included in each gift parcel shall not exceed \$5.

(2) Not more than one gift parcel may be sent by the same donor to the same donee in any one calendar week.

(3) In addition, no gift parcel sent to Germany, including Berlin, and to the Japanese islands of Honshu, Kyushu, Shikoku, and Hokkaido, and adjacent islands, shall contain commodities other than those permitted by the applicable Post Office Department regulations, whether the parcel be sent by means of parcel post or air express.

(e) *General license designation.* The legend "Gift Parcel" shall be plainly written on the address side of the parcel and on any customs declaration required by the Bureau of Customs.

§ 372.22 *Exportation of relief shipments—"RLS"* (a) A general license designated "RLS" is hereby established for relief agencies recorded with the Advisory Committee on Voluntary Foreign Aid authorizing the exportation of the commodities set forth in paragraph (b) of this section for relief or charity to all destinations: *Provided*, That such an agency has been recommended by the Advisory Committee on Voluntary Foreign Aid to the Department of Commerce as qualified to carry out a program of relief or charity to the particular country to which the exportation is to be made and is qualified to receive and assume full responsibility for such commodities and to assure non-commercial distribution of such commodities free of cost to the person or persons ultimately receiving

them: *And provided further* That shipments may be made only to approved consignees; and that in the case of exportations to Germany under this general license the shipments are consigned to the International Refugee Organization or to a consignee in care of such organization in Germany.

(b) The following specified commodities and all commodities which may be exported under the general license set forth in § 372.7 may be exported under the provisions of this general license:

Dept. of Commerce Schedule B No.	Commodity
559810	Food.
559810	Except:
559810	Rice.
559810	Butter.
559810	Animal oils and fats, edible.
559810	Vegetable oils and fats, edible.
559820	Clothing (new and used)
559830	Blankets and bedding.
559840	Drugs and biological supplies.
559840	Except:
559840	Medicinal and pharmaceutical preparations remaining on the Positive List.
559870	New and used surgical, sanitary and hospital supplies and equipment.
559870	Textiles, wool and cotton.
559880	Yarns, knitting and darning, wool.
559880	Thread, sewing.
559880	Pins and Needles.
559880	Sewing machines, domestic.
559880	Shoe repair equipment for manual operation.

(c) The general license symbol "RLS" shall be plainly written on the outside of the package or container and on the Shipper's Export Declaration.

§ 372.23 *Publications not containing technical data "G-PUB"* (a) A general license designated "G-PUB" is hereby established authorizing the exportation of publications as defined in paragraph (b) of this section to all destinations.

(b) When used in this section, the term "publications" shall mean all those commodities classified under the following Department of Commerce Schedule B numbers which do not contain technical data as defined in § 376.1 of this chapter.

Books, bound, text, educational.....	951000
Books, bound, other.....	951200
Books, unbound, in sheets.....	951400
Calendars, printed or unprinted.....	956000
Catalogs and pamphlets.....	951600
Currency, bank notes and uncanceled postage and revenue stamps.....	956908
Lithographically printed matter.....	956300
Maps and charts, geographic.....	952200
Music in books and sheets.....	952300
Newspapers, current (report over-issued and old newspapers in 469805 and 469809).....	955300
Periodicals.....	955500
Photographs and blueprints, n. e. s., except plans and specifications for the manufacture of aviation gasoline, aviation lubricating oil, and tetraethyl lead.....	955008
Printed matter, n. e. s., except plans and specifications for the manufacture of aviation gasoline, aviation lubricating oil, and tetraethyl lead.....	956908

(c) No general license designation need be placed on the envelope or wrapper of publications exported under this general license.

§ 372.24 *Bottle and container closures "GBC"* A general license designated "GBC" is hereby established authorizing

the exportation to all destinations of bottle and container closures when shipped with an equal number of glass bottles or other glass containers with which they are to be used: *Provided*, The exportation of the bottles or containers has been authorized by the Department of Commerce.

§ 372.25 *Gift parcels to enemy prisoners of war*—(a) *General license*. There is hereby established a general license authorizing, subject to the other provisions of this section, the exportation of gift parcels to prisoners of war in custody of the armed forces of the United States, Great Britain, France, Yugoslavia, Czechoslovakia and Poland.

(b) *General provisions*. No parcel may be exported under this general license except by means of parcel post. No parcel shall contain commodities in excess of a total value of \$25.00. No parcel shall exceed in weight a total of 11 pounds.

For the purpose of this general license, a gift parcel is defined as a parcel containing commodities donated by a person in the United States to an enemy prisoner of war held in custody by the armed forces of the United States, Great Britain, France, Yugoslavia, Czechoslovakia, or Poland.

(c) *Special provisions*—(1) *Gift parcels to prisoners of war in custody of the United States*. No gift parcel may be sent under this general license to enemy prisoners of war held in the European theatre by the United States armed forces except by persons who have received an official label issued by the United States Army authorities to prisoners of war, and sent to such persons by a prisoner of war. This label must be affixed to address side of the parcel when mailed.

Commodities which may be included in a gift parcel are restricted to non-perishable foodstuffs, clothing, soaps and shaving preparations, medicinals and vitamins, and other similar items of a relief nature. No written or printed matter of any kind shall be included in the parcel.

(2) *Gift parcels to prisoners of war in custody of Great Britain*. No gift parcel may be sent under this general license to enemy prisoners of war held by the armed forces of Great Britain except by persons who have received an official label issued by the British Army authorities to prisoners of war, and sent to such persons by a prisoner of war. This label must be affixed to address side of the parcel when mailed.

Commodities which may be included in a gift parcel are restricted to non-perishable foodstuffs, clothing, soaps and shaving preparations, medicinals and vitamins, and similar items of a relief nature. No written or printed matter of any kind shall be included in any parcels.

(3) *Gift parcels to prisoners of war in custody of France*. No gift parcel may be sent under this general license to enemy prisoners of war held by the armed forces of the French Government except by persons who have received a letter of request from such prisoner of war giving a complete address, including

the surname and first name, registration number, depot number, city and department of such prisoner of war. The full name and address of the sender and the surname and first name and registration number of the prisoner of war must be enclosed on a sheet of paper in the parcel.

Not more than one such gift parcel may be sent by the same donor to the same prisoner of war in any one calendar week.

Commodities which may be included in a gift parcel are restricted to non-perishable foodstuffs, soaps and shaving preparations and clothing, such as sweaters or pullovers. No outer clothing of civilian nature may be included in a gift parcel. No written or printed matter other than the sheet of paper containing the name and address of the sender and name and registration number of the prisoner of war may be included in the parcel.

(4) *Gift parcels to prisoners of war in custody of Yugoslavia*. No gift parcel may be sent under this general license to enemy prisoners of war held by the armed forces of Yugoslavia unless the following information is shown, in writing or otherwise, on the address side of the parcel: the name and address of the prisoner of war, addressed in care of the Yugoslav Red Cross, the name and address of the sender, and the inscription—
Poklon Ratnom Zarobljeniku—Oslobodjeno
Postarline

Prisoner of War—Gift Parcel, Postage Free

Not more than one such gift parcel may be sent by the same donor to the same prisoner of war in any one calendar week.

Commodities which may be included in a gift parcel are restricted to nonperishable foodstuffs, cigarettes, clothing, soaps and shaving preparations, medicinals and vitamins, and similar items of a relief nature. A sheet of paper containing a list of the enclosed commodities must be included in the parcel, but no other written or printed matter of any kind may be included therein.

(5) *Gift parcels to prisoners of war in custody of Czechoslovakia*. Commodities which may be included in gift parcels sent under this general license to enemy prisoners of war held by the armed forces of Czechoslovakia are restricted to non-perishable foodstuffs, cigarettes, clothing, soaps and shaving preparations, medicinals and vitamins, and similar items of a relief nature. No written or printed matter of any kind shall be included in any parcels.

Not more than one such gift parcel may be sent by the same donor to the same prisoner of war in any one calendar week.

(6) *Gift parcels to prisoners of war in custody of Poland*. No gift parcel may be sent under this general license to enemy prisoners of war held by the armed forces of Poland unless the following information is shown, in writing or otherwise, on the address side of the parcel: the name and address of the prisoner of war, addressed in care of the Polish Red Cross, Warsaw, Poland, and the name and address of the sender.

Commodities which may be included in a gift parcel are restricted to non-perishable foodstuffs, cigarettes, clothing, soaps and shaving preparations, medicinals and vitamins and similar items of a relief nature. No written or printed matter of any kind shall be included in any parcels.

Not more than one such gift parcel may be sent by the same donor to the same prisoner of war in any one calendar week.

(d) *General license designation*. No gift parcel shall be mailed under this section unless the symbol "Prisoner of War—Gift Parcel" is written on the address side of the parcel and on any required customs declaration.

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

Sec.	
373.1	Commodity advisory panels and commodity advisory committees.
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373.9	Special provisions for flour; Western Hemisphere countries and Philippine Islands.

§ 373.1 *Commodity advisory panels and commodity advisory committees*¹—

(a) *Purpose*. The purpose of this section is to establish a procedure whereby the export trade may consult with and give information and advice to the Office of International Trade of the Department of Commerce concerning export licensing policies and procedures under section 6 of the act of July 2, 1940, 54 Stat. 714, as amended.

(b) *Organization of commodity advisory panels and committees*. It is intended, for convenient operation and size, to provide representation of the export trade by commodities. Wherever practicable, segments of the export trade handling different commodities (or groups of commodities) will be represented by separate panels. To handle specific matters, committees will be organized from among the members of the commodity panel. The panels and committees are selected by the Office of International Trade.

As the purpose of such commodity advisory panels and commodity advisory committees thereof is to give advice to the Office of International Trade affecting segments of the export trade, the members of the panels and committees will be selected in an effort to obtain advice which will represent the viewpoint of all parts of the export trade involved. The panels will be formed of the minimum number of persons necessary to represent a fair cross-section of

¹ This section incorporates without change the provisions of "Order Establishing Commodity Advisory Panels and Commodity Advisory Committees" dated March 25, 1945 (13 F. R. 1646).

the export trade in the commodity (or groups of commodities) from the standpoints of (1) large, medium, and small companies, (2) geographical distribution, (3) trade association membership, and (4) segments of the export trade involved—e. g., by levels of the export trade (such as manufacturers, suppliers of exporters, and various types of distributors, including independent or merchant exporters) by degree of integration (such as manufacturing-exporters) by types of commodities, etc. The foregoing standards will be also adhered to in the formation of the committees.

In forming commodity advisory panels and committees the Office of International Trade will be governed by the principles of Senate Concurrent Resolution 14 (80th Congress) and the President's memorandum to heads of executive departments and agencies of December 12, 1947 with respect to the representation of small business on government committees.

Members of the panels and committees pay their own expenses and are entitled to no compensation for their services.

(c) *Functions of the panels and committees.* The functions of a commodity advisory panel formed by the Office of International Trade under this section are to furnish information, to give advice and make recommendations through one or more commodity advisory committees to the Office of International Trade, at committee meetings, on export licensing policies and procedures affecting those parts of the export trade represented by the committee. Where deemed appropriate, in view of the nature of a specific licensing policy or procedure, the Office of International Trade will authorize the holding of full panel meetings.

No other activities by these commodity advisory panels and committees or by their members are sponsored or authorized by the Department of Commerce or the Office of International Trade under this section. The panels and committees are not authorized to determine policies for the export trade nor are they authorized to compel or coerce any person to comply with any request or order or regulation made by the Department of Commerce or Office of International Trade.

(d) *Meetings of the panels and committees.* Commodity advisory panel meetings and commodity advisory committee meetings will be called by the Office of International Trade in connection with the promulgation of export licensing policies or procedures affecting the parts of the export trade represented by the panel or committee, as the case may be, except where the necessary timing or other public exigency does not permit such prior consultation. The agenda of the meeting will be prepared by the Office of International Trade. Representatives of interested agencies of the Government will be invited by the Office of International Trade. A representative of the Office of International Trade will preside at every panel meeting and every committee meeting. The Office of International Trade will keep minutes of each meeting and where practicable will make summaries available to members of the commodity ad-

visory panel, the committee, the export trade, and the press.

§ 373.2 *Export licensing general policy.* The following general, but not exclusive, policy for export licensing and related procedures are hereby established.

(a) *Price.* (1) The provisions of section 3 (b) of Public Law 395 (80th Congress) regarding price will be applied as one of the licensing criteria only when the export price for the specific commodity is obviously excessive.

Commodity Advisory Panels or Commodity Advisory Committees will be consulted whenever possible in determining what constitutes obviously excessive prices.

(2) The price to be stated on the export license application must be the export contract price and the point of delivery must be clearly indicated. If point of delivery is other than the intended port of exit, the intended port of exit must also be shown. The exportation may not be made or invoiced at a price in excess of that stated on the validated license.

(3) Where the normal trade practice in a given commodity makes it impracticable to establish a firm contract price, the precise terms upon which the price is to be ascertained and from which the contract price may be objectively determined must be stated on the application. A mere statement by the exporter of "market price, at time of delivery or shipment" or other such general statement of price will not be acceptable.

(b) *Evidence of accepted order.* (1) Exporters are required to submit with each license application clear evidence of an accepted order covering the transaction between the applicant and the foreign buyer. Such transactions may, nevertheless, be conditioned upon satisfactory payment arrangements or upon the issuance of an export license, import permit, exchange permit or such other government document as may be required. This evidence may take the form of an original or photostat copy of either the contract signed by both the exporter and importer, or of letters, telegrams, cables or other documents resulting in a contract between the applicant and the foreign buyer.

(2) Evidence of orders from a foreign purchaser need not be submitted where the amount of the transaction covered by the application is not more than \$100 in value or not more than twice the GLV value of the named commodity, whichever is higher. However, the exporter must keep such evidence available for inspection upon request by the Department of Commerce for the duration of export control.

(c) *End use.* Where commodities are licensed for export on the basis of the specific end use to which the material will be applied abroad, applications will be considered for approval only if they conform to appropriate end uses.

(d) *Historical basis for granting export licenses.* Throughout the war years and the postwar period, a controlling factor in the granting of export licenses was the historical basis, whereby the bulk of export quotas was reserved for those exporters who had established America's

export trade during a base period of severe competition when there were no export controls. While the historical basis will not be the predominating factor in licensing commodities subject to the provisions of this section, it may be taken into consideration together with other criteria when quotas are oversubscribed in order to ensure, insofar as possible, a fair and equitable distribution of available quotas.

(e) *Foreign government recommendations.* The Office of International Trade reserves the right in all respects to determine to what extent any recommendations made by foreign governments should be followed. However, the Office of International Trade will not seek or undertake to give consideration to recommendations from foreign governments as to the United States exporters whose license applications should be approved.

(f) *U. S. Government and foreign government procurement.* (1) For such purchases as may be made by agencies of the United States Government, licenses, where required, will be issued to the United States purchasing agency or its designee making the export shipment, but such exports will be authorized only where it is evident that the use of private trade channels is inappropriate.

(2) Procurement by foreign governments will be subject to continuous review in line with the announced policy of the United States to maximize the restoration of private trade, and in every instance the foreign government will be requested, before it buys any commodity to establish the competitive nature of its procurement.

(g) *Commodity advisory panels and committees.* Commodity advisory panels and committees will be consulted regarding problems arising in the administration of the provisions of this section.

(h) *Commodities subject to this export licensing policy.* The export licensing policy set forth in the preceding paragraphs of this section shall be applicable to the following commodities:

(1) All commodities with the following processing code symbols of the Office of International Trade as are included on the Positive List of Commodities:

ACID	MATS
CERL	PLAT
COAL	SALT (except diffusion pump oils,
CONT	Schedule B No.
DAPT	829980)
DRUG (except streptomycin, Schedule B No. 813575)	SEED
DYES	STEE
FATS	TEXT
FERT	TRPL
MEAT	TRAN
	VEGT

(2) In addition, the following commodities included on the Positive List of Commodities:

Commodity	Schedule B No.
Wood, unmanufactured.....	401200,
401400, 401700, 401900, 402600, 403400	
Railroad ties.....	415600
Oak flooring.....	413100
Other hardwood flooring.....	413200
Plywood.....	421407
Port Orford cedar veneers.....	421603
Doors.....	422600
Trim and moulding.....	422800
Sash and blinds.....	423200
Wood prefabricated houses.....	423950

Commodity	Schedule B No.
Panels and sections.....	423990
Other millwork.....	423990
Port Orford cedar battery separators.....	429900
Petroleum coke.....	504800
Mineral wax: ceresin, orange and white; and hardening.....	596025
Steel prefabricated houses.....	604600
Cast iron soil pipe.....	606805
Cast iron soil pipe fittings.....	606898
Aluminum houses.....	630998
Lead and manufactures.....	650406
	to 651598, incl.
Tin and manufactures.....	656502
	to 656598, incl.
Babbitt metal (report scrap & dross in 664998).....	662000
Antimony ores and concentrates (antimony matter, containing lead).....	664501
Bismuth matts, slimes, residues and base bullion.....	664510
Antimony (include metals or regulus, needle or liquated antimony, alloys & antimony-bearing scrap metal).....	664901
Beryllium metal.....	664905
Bismuth metals and alloys.....	664910
Cadmium metals (include metallic shapes).....	664915
Cadmium alloys.....	664917
Radium metal (radium content).....	664950
Babbitt metal, dross and scrap; gallium metal; and polonium metal.....	664998
Type (include multigraph type) (report type metal in 651505).....	667000

§ 373.3 *Special provisions for iron and steel products*—(a) *Time for submission of applications.* Applications for licenses to export iron and steel products may be submitted at any time.

(b) *Evidence of availability of material.* Applicants for licenses to export iron and steel products must submit with each license application an acceptance or commitment letter from the supplier, evidence of ownership (such as a bill of sale or a photostat copy thereof) or other proof that the amount of material covered by the application is in fact available to the applicant.

(c) *Applications in excess of quotas.* Applications for licenses to export iron and steel products which cannot be processed during the calendar quarter in which submitted, because of quota exhaustion, will be retained by the Department of Commerce, for consideration against quotas for the following calendar quarter.

(d) *Licenses: period of validity.* Licenses authorizing the exportation of iron and steel products will generally be issued for a validity period of six (6) months unless otherwise stated on the license.

§ 373.4 *Special provisions for surplus and reject steel*—(a) *Definitions.* When used in this section:

(1) "Surplus steel" shall mean, in general, steel which is not salable in the domestic market. It may include, but is not limited to steel originally obtained from the War Assets Administration or other agencies of the United States Government.

(2) "Reject steel" shall mean steel which contains snakes, slivers, seams, laminations, fractures, or any other defect which makes it, in general, not salable in the domestic market.

(b) *Application requirements.* All applications for individual licenses to ex-

port surplus steel or reject steel shall be governed by the following provisions, in addition to the requirements set forth below in the other paragraphs of this section.

(1) Applications, on the required form IT 419, may be submitted at any time.

(2) All applications must be accompanied by a photostat or certified copy of the foreign consignee's order.

(3) Applications for licenses for surplus steel will be granted only within established quotas.

(c) *Additional requirements for U. S. Government surplus steel.* All applications for individual licenses to export surplus steel originally acquired from the War Assets Administration, or other agencies of the United States Government, must be accompanied by a photostat or certified copy of each of the following documents:

(1) If the material is in the possession of the exporter-applicant: The documents covering all sales and purchases of the material, beginning with the transaction between the original purchaser and the United States Government, and up to and including the present owner.

(2) If the material is not in the possession of the exporter-applicant, then: (i) a commitment letter from the present owner stating that immediate delivery of the material can be made to the exporter-applicant; and (ii) the documents covering all sales and purchases of the material, beginning with the transaction between the original purchaser and the United States Government, and up to and including the present owner.

(d) *Additional requirements for other surplus steel.* Applications for licenses to export all surplus steel other than that acquired from the War Assets Administration, or other agencies of the United States Government, must be accompanied by evidence showing fully and in detail that the material is not salable in the domestic market.

(e) *Additional requirements for reject steel.* All applications for individual licenses to export reject steel must be accompanied by a photostat or certified copy of each of the following documents:

(1) If the material is in the possession of the exporter-applicant: either the documents covering the sale to and purchase by the exporter-applicant of the material, or a statement from the exporter-applicant that he is the producer of the material.

(2) If the material is not in the possession of the exporter-applicant: a commitment letter from the supplier stating that immediate delivery of the material can be made to the exporter-applicant.

(f) *Inspection reports for reject steel.* All applications for licenses to export twenty-five (25) or more short tons of reject steel must be accompanied by a photostat or certified copy, in duplicate, of an inspection report of a recognized commercial testing laboratory covering inspection of the material. If the material is to be exported by the producer, the producer's mill inspection report may be submitted in lieu of the above commercial testing laboratory report.

(g) *License limitations*—(1) *Validity period.* The validity period of all in-

dividual licenses authorizing the exportation of surplus steel or reject steel will be stated on the license. All such licenses shall be valid for a period of ninety (90) days from the date of validation, unless otherwise stated. Applications for extension of the validity period will not be granted save where warranted in unusual circumstances.

(2) *Clearance for export.* Where inspection reports as described in paragraph (f) of this section are required to be presented to the Collector of Customs as a condition of clearance of reject steel licensed for export, such requirement will be noted on the license and the inspection report will be attached thereto and thus become part of the license.

§ 373.5 *Special provisions for tinplate.*

(a) Individual licenses authorizing the exportation of tinplate classified under Schedule B Nos. 601300, 601400, and 604100 will be issued, subject to the following special conditions and procedures:

(b) *End use of shipments.* In general, applications for licenses will not be granted unless it is shown to the satisfaction of the Department of Commerce that the ultimate or end use of such tinplate, Schedule B Nos. 601300, 601400 and 604100, will be for one or more of the following purposes:

(1) The preservation of perishable essential foods for foreign consumption;

(2) The packaging of food products for import into the United States;

(3) Other meritorious end uses.

(c) *CXS priority assistance.* Notice is hereby given that Certified Export Steel (CXS) priority assistance will be assigned by the Office of International Trade, Department of Commerce, only to license applications granted under this section for the end use described in paragraph (b) (1) of this section. Such priority assistance, including mill space reservation for CXS tinplate purchase orders, will be in accordance with Allocations Regulation 2, as amended (including Direction 1 thereof) (§ 336.40 of this chapter) of the Office of Domestic Commerce.

(d) *CXS-rated tinplate.* The following special provisions shall govern applications for licenses to export tinplate, Schedule B No. 604100, specifically electrolytic and Hot-Dipped, Primes and Seconds, for use in the preservation of perishable essential foods:

(1) No such application will be granted unless it is shown that the foreign consignee is a regular consumer of tinplate for the purpose of food preservation.

(2) Applications, on the prescribed form, IT 419, must be submitted at least ninety (90) days prior to the beginning of the calendar quarter in which mill delivery of the tinplate is sought.

(3) If the application is granted, Certified Export Steel (CXS) priority assistance will be assigned thereto by the Office of International Trade, Department of Commerce.

(4) Licenses under this paragraph for the exportation of CXS-rated tinplate will be granted against allocations during the three (3) months period preceding the calendar quarter to which the

CXS mill space reservation, if any, is applicable.

(e) *Unrated tinplate for food imports to U. S.* The following special provisions shall govern applications for licenses to export tinplate, Schedule B Nos. 601300, 601400 and 604100, to be used to package food for import into the United States, and for which tinplate CXS priority assistance is not requested:

(1) Applications, on the prescribed form IT 419, covering reasonable quantities of the material may be submitted at any time.

(2) All applications must be accompanied by a statement from the exporter-applicant or the foreign consignee certifying that the tinplate will be used to package food for import into the United States.

(3) All applications submitted by applicants who are not producers of tinplate also must be accompanied by satisfactory evidence of availability of the tinplate to the applicant, such as a purchase invoice, warehouse receipt, or a letter from the supplier stating that the tinplate will be available to the applicant for export without CXS priority assistance.

(f) *Unrated tinplate for non-food uses abroad.* The following special provisions shall govern applications for licenses to export prime tinplate, Schedule B No. 604100, for non-food uses abroad, and for which CXS priority assistance is not requested:

(1) No such application will be granted unless it is shown that if the material covered by the application is not exported important segments of the foreign trade will suffer thereby.

(2) Applications, on the prescribed form, IT 419, covering reasonable quantities of the material, may be submitted at any time.

(3) All applications submitted by applicants who are not producers of tinplate also must be accompanied by satisfactory evidence of availability of the tinplate to the applicant, such as a purchase invoice, warehouse receipt, or a letter from the supplier stating that the material will be available to the applicant for export without CXS priority assistance.

(g) *Unrated waste-waste tinplate, etc.* The following special provisions shall govern license applications and licenses to export waste-waste tinplate, strips, rings and circles, Schedule B Nos. 601300 and 601400:

(1) No such application will be granted unless it is shown that the ultimate or end use of the material will be for the purpose of:

(i) Preservation of perishable essential foods; or

(ii) Other meritorious end uses.

(2) Certified Export Steel (CXS) priority assistance will not be assigned to such applications.

(3) Applications, on the prescribed form IT 419, may be submitted at any time.

(4) All applications submitted by applicants who are not producers of tinplate must be accompanied by a commitment letter from the supplier stating that the material is available to the applicant and that the material is as

specified in the license application. If the material is obtained from a source other than a mill the supplier's letter also must state through what channels it was acquired.

(5) Licenses issued under this paragraph shall be valid for a period of ninety (90) days from the date of validation, unless otherwise stated on the license.

(6) In addition to presentation of original licenses, as provided in § 371.7 of this chapter, to clear exportations of waste-waste tinplate, strips, rings, or circles, an exporter must present to the Collector of Customs a photostat or certified copy of an inspection report of a recognized commercial testing laboratory certifying that the material presented for export is as specified on the license. If the material is being exported by the producer, or is being supplied direct from a producer to the exporter, the producer's mill inspection report may be presented to the Collector of Customs in lieu of the above commercial testing laboratory report.

§ 373.6 *Special provisions for coal, coke, and coke products; licensing by ports.* (a) Because port loading capacity and freight car supply are limiting factors in coal exports, allocations of coal and coke for export will be made by ports. Except for coke destined to Western Hemisphere countries, licenses for the exportation of these commodities, therefore, will specify the ports from which shipment must be made.

(b) Exchange of port allocations will be considered upon application to the Department of Commerce.

(c) Upon determination of quarterly allocations, which will be divided by months, each country will be notified of its allocation. Export licenses will then be issued monthly to the full extent of the allocation for the specific month.

(d) In view of the difficulties of coordinating the purchase and shipments of large quantities of coal, licenses to export coal and coke to Europe and North Africa will continue to be issued only to the representatives of the receiving government, who will then negotiate contracts with exporters to move the fuel. Inquiries regarding such contracts should be directed to the representatives of the receiving governments. Licenses to export coal to other destinations will continue to be issued directly to exporters.

§ 373.7 *Provisions concerning licenses for jute and jute products—(a) Jute bags.* (1) In view of the severe curtailment of Indian production and exports of jute and jute products, with resultant decreased imports of such products into the United States, licensing of jute bags for export will be conducted in accordance with the following policy:

(i) No licenses will be issued for the exportation of new jute bags, unless exceptional circumstances exist.

(ii) In general, licenses for the exportation of used jute bags will be issued only if such bags are to be used for packaging critical materials for imports into the United States.

(2) Jute and jute products are excepted from the provisions of the general in-transit license GIT. License appli-

cations covering shipments of these commodities moving in transit through the United States to a foreign destination must be accompanied by documentary proof that such shipments are in fact in-transit shipments, and that the shipments have been charged to the jute quota of the country of destination and not to that of the United States. Such proof may consist of (i) a photostat copy of the consular invoice of the country of destination, or (ii) a copy of the bill of lading from the shipper or any other official document showing the country of destination.

(b) *Jute twill sacking.* (1) License applications will be considered only for the exportation of jute twill sacking which was imported into the United States from India prior to August 19, 1947, and which the applicant has been unable to dispose of domestically.

(2) Such applications must be accompanied by (i) a photostat copy of the ocean bill of lading covering the shipment of jute twill sacking to the United States, together with documentary evidence (which will be returned to the applicant) regarding the applicant's efforts to dispose of such material domestically demonstrating that a hardship does actually exist; and (ii) a statement of the quantity or quantities, if any of jute twill sacking covered by such ocean bill of lading which the applicant has been able to dispose of in the United States.

§ 373.8 *Historical basis of licensing for certain commodities—(a) General.* The historical basis of licensing is applicable to various commodities, including those set forth below in this section. It is also known as the method of licensing on a consignor guide basis, i. e., in proportion to an exporter's past participation in exports of the commodity. Typically, the procedure is to apportion the quota or allocation for licensing by setting aside a relatively small amount for reserves or contingencies. The remainder is set aside for licensing to traditional or historical exporters and to non-traditional exporters, including veterans. In general, a major portion of the quota or allocation of a commodity made available for export under validated licenses is licensed for export by traditional exporters. To qualify as a traditional exporter applicants must show that they made exportations in the past in their own name or behalf, i. e., during a base period established by the Office of International Trade. The base period statement need be filed only once, and should be filed with the first application.

(b) *Petroleum and products.* Applications for the following commodities will be considered for licensing under the historical basis of licensing:

Commodity	Schedule B No.
Blending agents or anti-knock compounds of petroleum origin.....	501325
Aviation motor fuel.....	501600
Other motor fuel and gasoline.....	501700
Kerosene	502700
Gas, oil and distillate fuel oil.....	503000
Residual fuel oil.....	503100

To qualify as a traditional exporter, an applicant must submit a base period statement showing the total exportations made on his own behalf during the base

period of 12 months beginning July 1, 1946, of each commodity listed above to each destination for which application is submitted.

(c) *Storage batteries.* Applications for automotive storage batteries (starting, lighting, and ignition) Schedule B No. 701300, will be considered for licensing under the historical basis of licensing. The limited quarterly export quota of this commodity will be apportioned and set aside for licensing to various classes of applicants, as follows: seventy percent for traditional exporters, five percent for producers who are not traditional exporters, fifteen percent for exporters other than traditional exporters and producers, who qualify under the Veterans' Preference Plan, and five percent as a reserve for contingencies. To qualify as a traditional exporter, an applicant must submit a base period statement showing the total exportations made in his own name, with the destinations involved, during the base period year 1941. If the applicant exported batteries during years other than 1941 but was not active during the year 1941, the export figures for the last year of activity may be substituted.

(d) *Fully refined paraffin wax.*—(1) *Historical basis.* (i) Applications for fully refined paraffin wax, Schedule B No. 504600, will be considered for licensing under the historical basis of licensing. After a small portion of the allocation of fully refined wax is reserved for contingencies, approximately 85% of the remainder of the allocation will be set aside for traditional exporters of paraffin wax and 15% for nontraditional exporters, including veterans.

(ii) To qualify as a traditional exporter, an applicant must submit a base period statement showing the total exportations to all countries (excluding Canada) of fully refined paraffin wax made in his own name during the base period, i. e., during each year of any three consecutive years from 1937 through 1946, inclusive.

(iii) All non-traditional exporters of fully refined paraffin wax must submit with each license application an acceptance or commitment letter from the supplier, evidence of ownership (such as a bill of sale or a photostat copy thereof) or other proof that the amount of wax covered by the application is in fact available to the applicant.

(2) *End use.* Licenses for the exportation of fully refined paraffin wax (Schedule B No. 504600) low melting point below 143° AMP will be issued only where such wax is to be used in the preservation of foods, such as the manufacture of food containers, and the coating and sealing of food and food packages.

§ 373.9 *Special provisions for flour.* *Western Hemisphere countries and Philippine Islands.* Effective June 21, 1948, all flour (Schedule B Nos. 107300, 107400, and 109900) will be licensed for export to the Western Hemisphere countries and the Philippine Islands in accordance with the following provisions:

(a) (1) An applicant who has received a license (or licenses) validated

subsequent to April 1, 1948, authorizing the exportation of flour will be considered for a license under this procedure for an amount up to twice the amount which he has shipped or up to 3,200 cwt. (whichever is greater) *Provided*, Such application is accompanied by certified copies of accepted export bills of lading, bearing the export license number (or numbers) showing that he has actually shipped at least 75% of the flour covered by such export license (or licenses) to the named country of destination for which license application is submitted. In no case will such license be issued to a single applicant to a single country of destination for an amount in excess of 50,000 cwt.

(2) License applications may be submitted by exporters who did not receive licenses validated subsequent to April 1, 1948, authorizing the exportation of flour to the country of destination specified in the license application. Such applications will be considered for an amount not to exceed 3,200 cwt.

(3) License applications may be submitted by exporters who have received licenses validated subsequent to April 1, 1948, authorizing the exportation of flour, but which licenses expired without export shipment having been made thereunder. Such applications may be considered for an amount not to exceed 3,200 cwt. provided the applicant submits satisfactory explanation of the special circumstances resulting in his failure to ship under the expired license.

(b) *Additional licenses.* An applicant who receives a license to export flour under the provisions set forth in paragraph (a) of this section, may apply for and receive an additional license upon submission of satisfactory proof (in the manner provided in paragraph (a) (1) of this section) that he has shipped to the named country of destination at least 75% of the flour covered by the last license he has received for the same destination under this procedure. The exporter may continue to reapply under this procedure, but each application must not exceed twice the quantity of flour shipped to the same country of destination on the last license received, and in no event may exceed 50,000 cwt.

(c) *Accepted orders.* Each application covering proposed shipments of flour under the foregoing provisions must be accompanied by evidence (as defined in § 373.2 (b) (1)) of orders accepted on or after the effective date of this section. Orders accepted prior to such effective date must be reconfirmed by the contracting parties unless there is a binding contract between the exporter and the importer at a specified fixed price with no provision for price adjustments.

(d) Consideration by the Office of International Trade of license applications for flour submitted under the foregoing provisions will be expedited if applicants who have received licenses for flour validated subsequent to April 1, 1948, will enter the number of all such licenses on the face of their new license applications.

(e) *Validity period.* All export licenses covering flour issued under the

foregoing procedures will be validated for a period of 60 days. Requests for extension of validity period will not be granted unless the licensee submits satisfactory evidence that he will be able to ship within a 30-day extension period.

(f) *BLT (Blanket) license.* Where exporters wish to ship to two or more consignees located in a single country, applications must be filed in accordance with the provisions of the BLT (Blanket) export license procedure set forth in Part 379 of this chapter.

(g) Under the procedure set forth above, the Office of International Trade will be able to process license applications as they are received. Therefore, the schedule for licensing of flour to the Western Hemisphere countries and the Philippine Islands as announced in the Office of International Trade press release of June 4 will not apply.

(h) In order that applications may conform with the provisions of paragraphs (c) and (f) of this section, all license applications for flour to the Western Hemisphere and the Philippine Islands are being returned immediately without action.

PART 374—PROVISIONS FOR INDIVIDUAL AND OTHER VALIDATED LICENSES

Sec.	
374.1	Applicability and general provisions; individual and other types of validated licenses.
374.2	Applications for licenses.
374.3	Expired, revoked and unused licenses.
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374.13	Bunker fuel and ship stores.
374.14	Applications for licenses to export to South Korea, Japan, Marcus Island and Germany.
374.15	Special provisions relating to applications filed by veterans.

§ 374.1 *Applicability and general provisions; individual and other types of validated licenses.* (a) Wherever reference is made in this part to application for licenses or to licenses granted or issued upon application, the reference is to validated licenses as distinguished from the general licenses established in Parts 372 and 376 of this chapter. The term "validated license" means an individual or other type of export license or any other document authorizing exportation granted or issued by or under the authority of the Department of Commerce.

(b) The provisions of this part (and insofar as consistent with the provisions of this part, all of the other provisions of Parts 370 to 399, inclusive, of this chapter) shall apply to applications for and individual licenses issued by the Department of Commerce. An individual

license is a validated license authorizing the exportation of the quantity of those commodities described therein from a designated licensee to a designated consignee.

The provisions of this part shall also apply equally to other types of validated licenses, and applications therefor, insofar as consistent with the provisions of Parts 375 to 399, inclusive, of this chapter relating to such other types of validated licenses.

(c) The commodities included on the Positive List of Commodities (Part 399 of this chapter) may not be exported to destinations other than Canada (including that part of Labrador under Canadian authority) except pursuant to general, individual or other type of license granted or issued upon application or established by the Department of Commerce. No exportation of any commodity, whether or not included on the Positive List of Commodities, may be made to any destination in Country Group R, as set forth in § 372.3 (a) of this chapter, unless and until a license therefor has been granted or issued upon application by the Department of Commerce, except where authorized by the provisions of an established general license as set forth in Part 372 of this chapter, and except where authorized by the provisions of a footnote on the Positive List of Commodities, and except as provided in § 371.2 of this chapter with respect to shipments by the United States armed forces.

(d) Application for a license shall be made on the form or forms and in the manner prescribed by the Department of Commerce. All terms, conditions, provisions and instructions, including the applicant's certificate, contained in such form or forms are hereby incorporated as a part of the regulations in Parts 370 to 399, inclusive, of this chapter. The return post card furnished with each application must be filled in and submitted to the Department of Commerce with the application.

(e) When duly approved by the Department of Commerce, the application form so approved is issued as a license authorizing, subject to the provisions of Parts 370 to 399, inclusive, of this chapter and of the terms and provisions of such license, the exportation of the quantity of those commodities described therein. When a license is issued, the case number assigned by the Department of Commerce becomes the license number.

(f) Partial shipments may be made against a license.

(g) A license is valid for a period of one year unless the period of validity is reduced or extended or is otherwise stated on the license, or unless the license is otherwise revised, suspended or revoked, by the Department of Commerce.

(h) No application for an export license shall be made unless and until the applicant has an order for export for the commodities covered by the application.

The term "order" as used herein means an order for export placed with an exporter in the United States by an importer in a foreign country which, if accepted by the exporter, will result in a binding contract between the exporter and the importer. While the terms of the

order may be conditioned, such terms must be ascertainable and certain; for example, (1) the terms of payment may provide a price dependent upon the market price at the time of delivery; (2) the time or place of delivery may be dependent upon an event in the future, etc. An "order" is more than a mere business inquiry relating to the possible purchase of merchandise, although it need not be an agreement which can be presently executed. Furthermore, while orders may be conditioned upon the issuance to the exporter of an export license by the Department of Commerce or the issuance to the importer of an import permit or exchange permit by his government, or such other government document as may be required, such orders for export would still be considered as orders within the meaning of these provisions.

(i) If at any time a licensee does not hold orders for export received by him prior to the validation date of the license, and calling for an exportation which could be effected under that license, in an amount equal to, or in excess of, the unshipped balance permitted under the license such licensee shall return the license at once to the Department of Commerce for amendment to the quantity for which he holds such orders.

It is not intended to deny to a licensee because of order cancellations the opportunity to export afforded the licensee by the license which covered the cancelled orders. If such exporter possesses new orders against which he wishes to ship quantities equivalent to those cancelled, he should submit with any new application (for no more than the cancelled quantity) an explanation of any special circumstances pertaining to the requested substitution of the new orders.

§ 374.2 *Applications for licenses.* (a) License applications may be made by any person subject to the jurisdiction of the United States, who is in fact the exporter, or by his duly authorized agent. An applicant not subject to the jurisdiction of the United States must show that unusual hardship would result from a refusal to consider the application.

(b) A separate and complete application must be submitted for each commodity to each consignee in each country of destination except as otherwise specifically provided by the other provisions of Parts 370 to 399, inclusive, of this chapter.

(c) A single application for an individual license may include a group of related commodities. Related commodities are commodities which have the same processing code symbol and the same number following such symbol on the Positive List of Commodities (Part 399 of this chapter). For example, any of the lead and manufactures, Schedule B Nos. 650406-651598, all of which have the processing code NONF 3, may be combined on one application form, but not with commodities having a different symbol. Unless the processing code symbol is followed by a number, the commodity is excluded from any related commodity grouping.

(d) Where partial or periodic shipments of an identical commodity are to be made by the applicant to the same

consignee in a foreign country, an application may be filed covering the entire quantity of commodities to be so exported.

(e) A second application covering the same proposed exportation shall not be submitted pending action on the first application.

§ 374.3 *Expired, revoked and unused licenses.* (a) If a license expires before complete shipment has been made, the licensee shall return the expired license to the Department of Commerce and at the same time, in connection therewith, may make an application for renewal or extension to export the unshipped balance. In emergency situations, application for extension of the license may be made without then returning the license.

(b) If the license is revoked, expires or if shipment is not to be made, the license shall be returned immediately to the Department of Commerce, with a covering letter explaining the reason for such return. If the license is not in his possession, the licensee shall so notify the Department of Commerce.

(c) Licenses must be surrendered to the Collector of Customs at the time of clearance of the final shipment authorized thereunder, for return to the Department of Commerce.

(d) (1) With the exception of coal and coke, commodities which are (i) laden aboard the exporting carrier or (ii) ready for lading and located on a pier for the purpose of lading prior to midnight of the expiration date of a license, and not for the purpose of storage, may clear with the vessel even though the vessel does not clear until after the expiration date of the license. Furthermore, where the vessel is expected to be available at the pier for loading in advance of the expiration of the license, but exceptional and unforeseen circumstances delay it, the commodities may be cleared for export without an extension of the validity period of the license, if in the judgment of the collector of customs undue hardship would otherwise result.

(2) Licenses for the exportation of coal and coke may be used after the expiration date only when the vessel was on berth for the purpose of loading before the license expired.

(3) Licensed shipments not coming within one of the foregoing provisions may not be cleared for export except by extension of the validity period of the license by the Department of Commerce.

§ 374.4 *Weight and volume tolerance.* (a) For all commodities requiring an export license, unless otherwise specified in such license, a ten percent (10%) tolerance by weight or volume over the amount specified in the license is allowed, except as listed below:

Commodity	Tolerance
Pharmaceuticals and finished drugs.....	1 percent.
Radium and radium salts.....	Nearest 100 milligrams.

(b) This tolerance is allowed only when the unit of quantity called for on the license application is in terms of weight or volume and shall not be allowed where the quantity called for is in terms

of other units, except as provided in paragraph (f) of this section.

(c) In all cases, the tolerance shall be allowed on the basis of the actual quantity stated in the license; and in no case shall the tolerance exceed ten percent (10%) of such quantity.

(d) Where commodities are licensed in terms of both standard size container units and weight or volume units, the tolerance is allowed on the total weight or volume licensed: *Provided*, That the number of standard size container units shall not be increased over the number thereof stated in the license.

(e) Whenever one or more partial shipments of the licensed commodity have been made, the license remains valid only for the unshipped balance of the licensed commodity plus ten percent (10%) of such balance.

(f) Where the amount or quantity on a license is required to be shown in number of units other than weight or volume a tolerance is allowed only as follows:

Jute bags, Schedule B No. 322401----- 2%

INTERPRETATION NO. 1 UNDER § 374.4 WEIGHT AND VOLUME TOLERANCE

The following interpretation is hereby issued concerning certain provisions of § 374.4 Weight and Volume Tolerance:

(a) Section 374.4 (c) provides that the tolerance shall be allowed on the basis of the actual quantity stated in the license. This provision means, for example that:

(1) If the quantity shown on the license is "100,000 lbs.," not more than 110,000 lbs. may be exported.

(2) If the quantity shown on the license is "100,000 lbs. 10 percent more or less," not more than 110,000 lbs. may be exported.

(3) If the quantity shown on the license is "approximately 100,000 lbs.," not more than 110,000 lbs. may be exported.

(b) Section 374.4 (d) provides for a tolerance, subject to certain limitations, in cases where commodities are licensed in terms of both standard size container units and weight or volume units. This provision means, for example, that if the license authorizes the shipment of 10,000 pounds of a commodity in twenty 500-pound drums, that license may be used to clear an exportation of not more than 11,000 pounds in not more than twenty such drums.

§ 374.5 Port of exit. (a) Commodities which leave the United States at one port, cross adjacent foreign territory, and re-enter the United States at another port before final exportation to a foreign country, will be treated as an export at the last port of exit from the United States.

(b) A license may be used for exportation from any port of exit from the United States subject to the jurisdiction of the United States unless the Department of Commerce shall otherwise provide.

(c) Simultaneous shipments from different ports of exit may be cleared for export under a single license by the Collector of Customs having possession of the license, through arrangements with the Collector of Customs at the other port or ports of exit, as provided by the Department of Commerce.

§ 374.6 Duplicate licenses. Where a license is lost or destroyed, a duplicate of such license may be obtained by the licensee in accordance with the following procedure:

(a) An application identical in all respects to the former application as validated and marked "Duplicate" must be submitted.

(b) An affidavit must be attached to the new application stating:

(1) That the original license has been lost or destroyed.

(2) What commodities, if any, have been shipped under the original license.

(3) That affiant agrees to return the original license to the Department of Commerce if it is found.

§ 374.7 Special provisions concerning applications to export certain commodities—(a) Chemicals and medicinals.

(1) All applications for license to export chemicals, medicinals, and pharmaceuticals shall state such facts relating to grade, form, concentration, mixtures, or ingredients as may be necessary to identify the commodity accurately, and must state fully how the shipment will be packed. Applications covering the following commodities, in any form, conversion, or derivative, or contained in any preparation, must state the net quantity of such commodity, or its equivalent in appropriate units, as follows:

Commodity	Units
Insulin-----	Standard units.
Quinine-----	Grams, ounces, or pounds equivalent of quinine sulfate.

(2) **Lead chemicals.** All applications for licenses to export chemicals containing lead must include a statement of the lead content of all such chemicals.

(3) **Coal-tar colors, dyes, stains and color lakes.** All applications for licenses to export coal-tar colors, dyes, stains and color lakes classified under Schedule B Nos. 805901, 805903, 805905, and 805909 must state the trade name and the color index number of each such commodity. If there is no color index number, the basic organic raw materials in the dye must be specified.

(b) **Metals.** (1) All applications for licenses to export any ferrous or non-ferrous commodities (except all ores, concentrates, smelter and refinery residues, and unrefined products covered by paragraph (c) of this section) listed under iron, iron and steel, ferro-alloys, and non-ferrous metals on the Positive List of Commodities (Part 399 of this chapter) except chemicals and refractories, if containing any of the elements listed below must include a statement of weights in pounds if amounting to 10 or more pounds of each element or if present in percentages in excess of the minimum indicated:

15 percent or more: lead.
10 percent or more: bismuth.
5 percent or more: antimony, cadmium, tin.

(2) All applications for licenses to export any of the above ferrous or non-ferrous commodities containing radium must include a statement of the weight in grams of such radium regardless of amount.

(3) All applications for licenses to export any of the commodities listed below must include a statement of the weight in pounds of the copper contained in any such commodity:

Commodity	Schedule B No.
Copper matte, unrefined copper as blister converter copper, anodes-----	640100
Rubber-covered wire-----	643000
Weatherproof wire-----	643100
Other insulated copper wire-----	643500
Copper alloys, except brass, bronze, nickel or gold-----	664993

(c) **Ores, Concentrates, Etc.** (1) All applications for licenses to export ores, concentrates, smelter and refinery residues or unrefined products included on the Positive List of Commodities under iron, iron and steel, ferro-alloys, and non-ferrous metals, except chemicals and refractories, containing any of the elements listed below must include a statement of the weight in pounds, if amounting to 10 or more pounds, of each such element:

Antimony.	Lead.
Bismuth.	Tin.
Cadmium.	

(2) All applications for licenses to export any of the above ores, concentrates, smelter and refinery residues, or unrefined products containing radium must include a statement of the weight in grams of such radium regardless of amount.

(d) **Petroleum and products.** (1) All applications for licenses to export the following commodities must include the name of the port from which shipment will be made.

Commodity	Schedule B No.
Blending agents or anti-knock compounds of petroleum origin-----	501325
Aviation motor fuel-----	501600
Other motor fuel and gasoline-----	501700
Kerosene-----	502700
Gas, oil and distillate fuel oil-----	503000
Residual fuel oil-----	503100

(2) **Mineral wax.** All applications to export any ceresin wax, orange and white, and hardening wax classified under Schedule B No. 596925 must include a statement of the percentage of fully refined paraffin wax, Schedule B No. 504600 contained in the commodity.

(e) **Coal.** (1) All license applications to export coal from a private United States exporter to a private importer in a foreign country must be accompanied by evidence of an accepted order. The end use for which the coal is intended must be fully set forth in the license application.

(2) Each application must have attached thereto a statement containing the following information: (i) size of the coal, (ii) price of the coal f. o. b. car piers, (iii) approximate analysis of coal as specified in the contract, (iv) names of base mines, point of origin, location and district, and (v) a statement that any coal which does not come from these mines will be of comparable size and quality.

(3) Within 15 days after the cargo is loaded, the licensee shall submit to the Office of International Trade a copy of the cargo consist, cargo manifest, or other cargo loading report together with supporting data showing (i) the export license number, (ii) size of the coal, (iii) price of the coal f. o. b. car piers, (iv) composite analysis of cargo, if any taken at the port at the time of loading, (v)

mine name or point of origin, (vi) total tonnage from each mine, and (vii) price per ton at each mine.

(4) In the event the Department of Commerce receives adequate evidence that the coal shipped under a validated license has departed significantly in quality from that for which the license was issued, this fact will be an important consideration in processing future applications submitted by the holder of such license.

(f) *Steel.* All license applications to export iron and steel sheets, galvanized, Schedule B Nos. 603300 and 603400, materials of all gauges may be included in a single application. However, applications must list materials of gauge 22 and lighter separately from the heavier gauges.

(g) *Meat.* When submitting license applications to export meat and meat products, Schedule B Nos. 002000 through 003900, an applicant may include in a single license application all the types of meat proposed to be shipped to a single consignee. However, under item 9 of the license application (form IT 419) the applicant must enter for each item listed (1) the quantity to be shipped, (2) a description of the commodity including its Schedule B number, and (3) the total selling price of the item and its price per unit.

(h) *X-Ray film.* All license applications to export X-ray film, Schedule B No. 912610, must include the following information (on form IT 419)

(1) In answer to question 9 (b) the quantity (total sensitized surface to be exported) must be set forth in square feet.

(2) In answer to question 9 (c) the commodity description must include the type and brand name and size of film.

(3) In answer to question 10 complete information as to end use must be stated.

(4) In answer to question 11 the name of the manufacturer must be shown unless the applicant is the producer.

Applications which do not contain the information set forth above will not be processed by the Office of International Trade but will be returned to the applicant without action.

§ 374.8 *Commodity quotas and time for submission of license applications.* Public announcements will be made of quotas for particular periods with respect to commodities included on the Positive List of Commodities (Part 399 of this chapter). License applications covering such commodities shall be submitted, at such times or during such periods, as are provided for from time to time, in Current Export Bulletins or other public announcements of the Department of Commerce.

§ 374.9 *Additional information.* Every person applying for an individual or other type of validated license shall, in addition to the information called for in Parts 370 to 399, inclusive, of this chapter in connection with such type of license or in the form on which the application is made, furnish such information with respect to such application as

may be required by the Department of Commerce.¹

§ 374.10 *Reports.* Any person to whom a validated license has been issued shall file with the Department of Commerce such reports as said Department shall, from time to time, require.¹

§ 374.11 *Re-exportation from country of destination.* No exportation may be made under any validated license with the knowledge or intention that the commodities so exported are to be re-exported from the country stated on the license application as the country of ultimate destination.

§ 374.12 *License applications for in-transit shipments.* License applications for commodities moving in transit through the United States which may not be exported under the General License GIT must include the name and address of the original consignor as well as that of the applicant, and bear the notation "IN-TRANSIT SHIPMENT" on the top of the application form.

§ 374.13 *Bunker fuel and ship stores.*

(a) The provisions of Part 372 of this chapter provide a general license for the exportation of bunker fuel and ship stores under the conditions prescribed. A validated license is required, where the bunker fuel and ship stores are to be exported not for use or consumption on board during the outgoing and any immediate return voyage of a vessel departing from the United States or where such commodities are not authorized to be exported under a general license to the country of destination.

(b) A validated license is required where ship stores are to be exported for use of or installation on a specified identified vessel located at a foreign port. When application is made for such an exportation, the following modifications should be observed in completing the license application form (IT 419)

(1) Item 6 (a) Furnish legal name of applicant and the owner, charterer, agent, or master of vessel, whichever is applicable.

(2) Item 7 (a) Furnish the name of the purchaser.

(3) Item 7 (b) Furnish the name of the vessel on which the bunker fuel or ship stores will be used or installed; and the port at which such vessel is located.

§ 374.14 *Applications for licenses to export to South Korea, Japan, Marcus Island and Germany.* (a) Applications for licenses to export commodities listed in § 399.1 of this chapter to South Korea, Japan, and Marcus Island must be accompanied by a true or photostat copy of such import permit document as may be required by the appropriate occupying government authorities having jurisdiction over approval of importations to those destinations.

(b) License applications covering proposed exportations to the combined American and British Zones of Germany must contain (under item 5 of form IT 419) the import permit number or the

¹ Subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

contract number assigned by the Joint Export-Import Agency in Germany covering the proposed shipment.

§ 374.15 *Special provisions relating to applications filed by veterans—*(a) *General statement.* A special procedure is hereby established for the purpose of giving preferential consideration to export license applications submitted by veterans of the present war. The procedure is designed to aid veterans who were engaged in the export business prior to entering the military service as well as veterans who are newcomers in the export trade. For the purpose of this special procedure, a veteran is defined as any person who shall have served in the active military or naval service of the United States at any time on or after September 16, 1940, and who shall have been discharged or released therefrom under conditions other than dishonorable after active service of 90 days or more, or by reason of an injury or disability incurred in service in line of duty.

(b) *Veterans preference plan.* (1) Any person who qualifies as a veteran may receive preferential consideration of his applications for export licenses, to the extent outlined below, by submitting such applications in accordance with the procedure set forth in paragraph (c) of this section.

(2) The Department of Commerce will set aside out of current quotas or allocations limited quantities of commodities against which export license applications submitted by veterans will be approved. The quantities set aside for this purpose will be established for individual commodities and may be changed or eliminated entirely depending on the current supply condition of the particular commodity. To the extent of the quantities thus set aside for particular commodities, applications submitted by veterans will be given preferential consideration over applications submitted by other persons.

(3) Veterans who are required under any regulations or procedures of the Department of Commerce to submit records of past exports of particular commodities during a specified base period, and are unable to do so because of absence in the military service during the whole or any part of the specified base period, may comply with such regulations or procedures by submitting records of past exports of the particular commodity or commodities for other years prior to entering the military service. Such records of past exports submitted by veterans will be accepted by the Department of Commerce as the basis for the veteran's participation in export quotas with other exporters even though a procedure or regulation requires other exporters to submit information as to past exports during a specified base period in order to qualify for such participation.

(4) All regulations and procedures of the Department of Commerce relating to exports, except as otherwise provided in this section, shall apply to applications for export licenses submitted by veterans and export licenses issued to veterans under this procedure.

(c) *Procedure for establishing eligibility and filing applications under the Veterans Preference Plan—*(1) *How to*

qualify. To establish eligibility to participate in the plan, the applicant will submit a letter addressed to the Office of International Trade, Washington 25, D. C., Attention: Veterans Preference Officer, containing the following information:

(i) Name and address of veteran or veterans.

(ii) A photostat or certified copy of the honorable discharge or certificate of service. The certification may be made by a commissioned officer of the Armed Forces or a notary public.

(iii) A statement showing the name and address of the person, partnership or corporation for which Veterans Preference is being requested.

In the case of a veteran operating under his own name and on his own behalf, the veteran must state that he is the principal in the export transactions for which he asks preference; that he is acting solely on his own behalf, and that he will receive all profits, minus usual operating expenses, from the transaction.

In the case of a partnership, the statement must include a copy of the partnership agreement, which shows the percentage of veteran ownership interest in the firm, or, if there is no written agreement, a statement by all the partners which shows the ownership interest of each partner in the partnership.

In the case of a corporation, the secretary of the corporation must state the percentage of veteran ownership of capital stock in the corporation and the veteran must state that he owns the stock in good faith and has not pledged it.

(2) *How to file applications.* All applications for export licenses submitted under this procedure shall be filed on the form or forms and in the manner prescribed for the filing of export license applications by the Department of Commerce, except that each application filed under this procedure shall contain the statement "veterans preference" conspicuously placed on the face of the application.

The use of the words "veterans preference" on applications filed under this procedure shall constitute a certification by the applicant that the eligibility requirements are currently met.

(3) *Limitations.* In general, license applications filed by veterans under this procedure will not receive the benefits of the Veterans Preference Plan unless such applications are filed by the veteran for his own account or for the account of a firm or corporation in which he has at least a 50% ownership interest. A partnership or corporation which is owned by two or more veterans is entitled to only one veteran's preference. No export license issued to a veteran under this procedure may be transferred except by written authorization of the Department of Commerce.

PART 375—SP (SPECIAL) LICENSES

Sec.

375.1 SP (Special) licenses.

375.2 Application requirements.

375.3 Licensees; filing of quarterly requirements statements.

375.4 Amendments to licenses.

375.5 Extension of validity period.

375.6 Export clearance.

375.7 Other applicable provisions.

§ 375.1 *SP (Special) licenses*—(a) *General.* Under the provisions of this part there is established a procedure for the exportation of commodities required for a specific project or program. Pursuant to this procedure application may be made for an SP (Special) license which, if issued, authorizes exportation of commodities described in such license document for (1) a new foreign enterprise, or the expansion of an existing foreign enterprise (herein referred to as a "project") for which commodities are required; or (2) the maintenance, repair, operating (MRO) and production requirements of commodities for a foreign enterprise (herein referred to as a "program") In the case of projects, licenses may cover the total requirements thereof, and in the case of programs, the total requirements thereof for one year.

(b) *Bases for issuance of licenses.* (1) Applications for SP (Special) licenses will be granted only for commodities not intended for resale, and where justified under one or more of the following considerations save for exceptional circumstances:

(i) The license application covers a project which contributes to the attainment of the policy objectives of the United States Government;

(ii) The proposed exportation will further the production abroad of critical commodities needed for United States domestic consumption or reconversion, or for essential consumption in foreign countries;

(iii) The license application covers construction or operation of facilities necessary to the minimum essential civilian economy of the country of destination; or

(iv) The license application covers a project which will lead to increased international trade with the United States in the future.

§ 375.2 *Application requirements.* (a) Applications for SP (Special) licenses for projects or programs shall be submitted on form IT 419, and must be accompanied by form IT 375 (SP (Special) License Application Material Requirements List) in duplicate, and the additional statements and documents described below in this section.

(b) In preparing the application form IT 419, the applicant shall enter:

(1) Under item 9 (c) (the commodity description column) the following legend:

Articles and materials set forth on the attached form IT 375, which constitute the total known requirements for (insert name of project or program) for the year beginning (insert date, beginning with a calendar quarter). The materials exported will be used only in accordance with the approval granted.

(2) Under item 9 (d) (the value column) the total or aggregate dollar value of the commodities to be exported.

(c) A copy of form IT 375 must accompany each copy of application form IT 419 and should be attached thereto. In addition to furnishing all the other information requested on form IT 375, the applicant must list thereon an estimate of the quantity of each commodity required (except coal, coke and coke prod-

ucts) Such estimates must cover (1) the total requirements thereof, in the case of projects; and (2) the requirements for the operation of the facility for a full 12-month period, in the case of programs. Commodities which do not require a validated license to export should not be listed on form IT 375.

(d) The applicant must also submit with the application any special authorization forms which may be required by other agencies of the United States Government as to the commodities or matters covered by the application.

(e) A letter should be submitted with the application giving full details as to urgency of need of the commodities and as to the nature of the operation for which they are required.

(f) In order to schedule requirements by calendar quarters, the following information also must accompany each application:

(1) A statement of firm requirements for the next calendar quarter. This statement should be submitted on form IT 375, in duplicate, separate forms being used (i) for commodities included on the Positive List of Commodities (Part 399 of this chapter) and (ii) for commodities not on the Positive List which require a validated license. A separate form IT 375, in duplicate, must be submitted for each group of commodities classified under a single processing code. Commodities having different processing codes may not be included on the same form IT 375.

(2) As to commodities included on the Positive List, a statement of estimated requirements thereof for the calendar quarter immediately following the calendar quarter covered by the statement provided for in subparagraph (1) of this paragraph. This statement should be submitted on form IT 375, in duplicate. All Positive List commodities, regardless of processing codes, may be submitted on the same form.

(3) A statement of the estimated date on which each category of commodities referred to in subparagraphs (1) and (2) of this paragraph will become available to the applicant.

§ 375.3 *Licensees; filing of quarterly requirements statements.* Holders of outstanding licenses must submit quarterly, not later than 30 days prior to the beginning of a new calendar quarter, the statements of quarterly requirements as provided in § 375.2 (f)

§ 375.4 *Amendments to licenses.* (a) Subject to the provisions of § 375.1 (b) and of the other provisions of this section, amendments to SP (Special) licenses may be granted to provide for special requirements of commodities by reason of changes in specifications, omissions, or unforeseen contingencies arising from emergencies or break-downs:

(b) (1) SP project license amendment applications are limited to three, totaling not more than 20 percent increase above the approved value of the initial project license.

(2) SP program license amendment applications for maintenance, repair, operating (MRO) and production requirements are limited to one a month but may include any quantities or value.

(c) Exceptions to the provisions of paragraph (b) of this section may be granted upon a clear showing of an emergency or special circumstance.

(d) Applications for quantitative amendments of licenses must include the following:

(1) A supplementary materials requirements list (form IT 375) in duplicate, showing in detail the additional necessary commodities;

(2) The statements of quarterly requirements as provided in § 375.2 (f) and

(3) A letter, in duplicate, setting forth a complete statement of the unforeseen contingencies and justifying the request for additional commodities.

§ 375.5 *Extension of validity period.* Extensions of the validity period of SP (Special) licenses will not be granted unless the extension is justified under the provisions of § 375.1 (b). Applications for extension should be submitted by letter, in duplicate, and should set forth (a) the approximate percentage of completion of the project, (b) the approximate unshipped balances of commodities included on the Positive List which are covered by the license, and (c) the approximate date shipment will be completed. If the application is granted a notification letter will be sent to the licensee for attachment to the license.

§ 375.6 *Export clearance.* (a) When clearing shipments for export under any SP (Special) license, the licensee must present, upon demand of the collector of customs at the port of exit, either the original or a photostat copy of the license.

(b) When making exportations by mail the licensee shall include on the export declaration (form 7525) a signed statement substantially as follows:

The commodities described in this export declaration are to be shipped to (destination) under special license number (SP —) and will be used by (name of consignee) for the development, construction, maintenance, repair and/or operation of the consignee's properties located at (destination).

In addition, the license number of the SP (Special) license must be endorsed on the wrapper of the parcel. The customs declaration (form 2966) must be completed by the sender and the contents of the parcel as described in this form must agree with the description contained in the license.

§ 375.7 *Other applicable provisions.* Insofar as consistent with the provisions of this part, all of the provisions of Parts 370 to 399 of this chapter shall apply to applications for and licenses issued under this part.

PART 376—TECHNICAL DATA

Sec.	
376.1	Definition.
376.2	General licenses.
376.3	General provisions.

§ 376.1 *Definition.* Technical data is hereby defined as "any professional, scientific or technical information, including any model, design, photograph, photographic negative, document, or commodity, containing a plan, specification,

or descriptive or technical information of any kind which can be used or adapted for use in connection with any process, synthesis or operation in the production, manufacture, reconstruction, servicing, repair, or use of any commodity."

§ 376.2 *General licenses.*—(a) *Definition.* A general license is a license established by the Department of Commerce for which no application is required, and for which no document is granted or issued, available for use by all persons, permitting exportation of specified classes of technical data to specified countries or consignees in accordance with the regulations herein prescribed and those which may be prescribed at the time of issuance of such general license.

(b) *United States Government or agency thereof.* A general license is hereby established permitting exportation of all technical data when consigned to any agency or instrumentality of the United States Government: *Provided*, That any technical data exported under this general license shall be for the official use of the United States Government or one of its agencies or instrumentalities. Included within the provisions of this general license are exportations of technical data for use by a government contractor engaged in construction of military installations when exported by a branch of the United States armed forces or consigned to a supervising military officer. Any person exporting under this general license shall mark conspicuously on the envelope or outside wrapper "General License No. TD-U. S."

(c) *General technical data.* A general license is hereby established permitting exportation of technical data to any destination: *Provided*, (1) That no officer or agency of the United States Government has placed any condition or restriction on the dissemination or exportation of such technical data; or (2) That if such a condition or restriction exists, the exporter has obtained permission in writing to export the technical data to the country of ultimate destination from the agency or officer of the United States Government who has placed such condition or restriction thereon. Any person exporting under this general license shall mark conspicuously on the envelope or wrapper "General Licenses TD-GEN."

§ 376.3 *General provisions.* (a) No exportation may be made under general license TD-GEN of technical data against which a restriction or condition has been placed with the knowledge or intention that the technical data so exported are to be re-exported from the country of destination to which the permission was granted.

(b) Technical data not exportable under the provisions of the general licenses described in § 376.2 may not be exported.

(c) *Patent applications.* Technical data contained in papers relating to patent applications based on inventions made in a foreign country which are to be exported for informational purposes and not for the purpose of filing in a foreign country may, if otherwise qualified, be exported under general license.

Patent applications based on inventions made in the United States, amend-

ments thereto, or other papers relating thereto, which are to be exported for the purpose of filing in a foreign country or which may become the basis of an application or an amendment to an application already filed in a foreign country, are subject to regulations of the Commissioner of Patents, and, after licensing for filing by the Commissioner of Patents, are exportable under general license.

PART 377—DENIAL OF LICENSING PRIVILEGES

Sec.	
377.1	Compliance Commissioners.
377.2	Orders.
377.3	Institution of proceedings.
377.4	Notification to respondent.
377.5	Default.
377.6	Answer, etc.
377.7	Hearing.
377.8	Consolidation.
377.9	Reports and communications by Compliance Commissioner.
377.10	Disposition.
377.11	Appeal.
377.12	Proceedings to be confidential.

§ 377.1 *Compliance Commissioners.* The Assistant Director of the Office of International Trade will designate one or more persons to act as Compliance Commissioners who shall have the powers and duties set forth in this part. Persons attached to the Commodities Division or Export Operations Division of the Office of International Trade shall not be qualified to act as Commissioners.

§ 377.2 *Orders.* Orders denying the privilege of any person to obtain or use an export license may be issued in the name and under the authority of the Director of the Commodities Division of the Office of International Trade, or of the Assistant Director of said office. Such orders shall be effective for such periods of time and on such terms and conditions as may be prescribed therein.

§ 377.3 *Institution of proceedings.* The Chief of the Enforcement Branch, Export Operations Division, may, with the approval of the Office of General Counsel, initiate proceedings to deny the privilege of any person to obtain or use export licenses in any case where the Enforcement Branch has reason to believe that such person has violated any provisions of the statutes, proclamations, executive orders or regulations relating to export control.

§ 377.4 *Notification to respondent.* The Chief of the Enforcement Branch, Export Operations Division, shall initiate proceedings by transmitting a telegram or registered letter to the person against whom proceedings are brought. The notification shall set out the specific nature of the violations charged, shall state that denial of respondent's privilege to obtain or use export licenses is being contemplated and that failure to answer the charges may result in such action being taken. The notification shall set a time and place for a hearing on the charges before a Compliance Commissioner and shall advise the respondent that he must answer the charges at or prior to such time or be held in default. The time set shall be not less than ten days or more than fifteen days from the date of the

notification. Charges may be amended from time to time upon reasonable notice to the respondent.

§ 377.5 *Default.* If the respondent does not answer the charges as provided in § 377.6 within the prescribed time, the Chief of the Enforcement Branch shall submit to the Commodities Division the facts of the case, together with a recommendation for action. Being so advised, the Commodities Division may issue an order denying the privilege of the respondent to obtain or use export licenses, or may take any other appropriate action.

§ 377.6 *Answer etc.* The respondent may answer the charges made against him in writing by submitting the same, in duplicate, to the Export Operations Division, Office of International Trade, Department of Commerce, Washington 25, D. C., within the time limited by the notification to respondent.

The respondent shall be permitted to answer the charges made against him orally if he indicates his desire to do so by letter, in duplicate, submitted to the Export Operations Division within the period limited by the notification to respondent.

§ 377.7 *Hearing.* At the time and place specified in the notification to respondent all evidence material to the inquiry shall be received by the Compliance Commissioner and shall be taken by a reporter before him. The respondent may be represented by counsel. The respondent shall be informed that he is under no obligation to answer questions.

The evidence shall be transcribed by the reporter, filed with the Compliance Commissioner and the respondent shall be given an opportunity to examine the transcript.

The respondent may prepare and file with the Compliance Commissioner a bill of exceptions to such transcript which shall thereafter accompany the transcript. Such bill of exceptions shall be filed within such time as the Compliance Commissioner shall fix at the conclusion of the hearing.

§ 377.8 *Consolidation.* The opportunity to answer charges may, at the discretion of the Compliance Commissioner, be consolidated with any similar opportunity afforded the respondent by any other government agency with respect to charges upon the same or a related subject matter.

§ 377.9 *Reports and communications by Compliance Commissioner.* The Compliance Commissioner shall consider the record, including any bill of exceptions filed by the respondent, and shall prepare a written report which shall consist of his findings of fact, including a finding whether or not a violation has occurred, and his recommendations. If the Commissioner finds that a violation has been committed his recommendation for action shall be advisory only. The report, transcript, and bill of exceptions, if any, shall be transmitted to the Director of the Commodities Division.

§ 377.10 *Disposition.* The Director of the Commodities Division shall review the record, consider the recommenda-

tions of the Compliance Commissioner, and determine the disposition of the case. In any case where the Commissioner has found that a violation has been committed, the Director of the Commodities Division may issue an order denying the respondent's privilege to obtain or use export licenses for such periods of time and on such terms and conditions as he may prescribe and take any other appropriate action. In any case where the Commissioner has found that no violation has been committed, the Director of the Commodities Division shall enter an order dismissing the charges. In all cases the respondent shall be notified promptly of the action taken. An order denying the privilege to obtain or use export licenses shall contain a notification to the respondent of his right to appeal.

§ 377.11 *Appeal.* A respondent may appeal in writing to the Assistant Director, Office of International Trade, whose decision shall be final. Such appeal shall be taken within 10 days after receipt of a suspension order by the respondent. Oral argument will be permitted only upon direction of the Assistant Director. The Assistant Director shall not consider facts or arguments affecting the merits of the policy embodied in the rules or regulations alleged to have been violated. An order denying the privilege to obtain or use an export license shall remain in effect pending disposition of the appeal, unless otherwise ordered by the Assistant Director.

§ 377.12 *Proceedings to be confidential.* Pending disposition of a case by an order of the Director of the Commodities Division, in accordance with §§ 377.5 and 377.10, all proceedings pursuant to the provisions of this part shall remain confidential.

PART 378—APPEALS

§ 378.1 *General procedure for appeals—(a) Purpose.* This section provides the general procedure for appeals, except as otherwise noted below.

(b) *Appealability of regulations and administrative actions.* Any person may appeal, upon the grounds set forth in paragraph (e) of this section, from

(1) Any regulation issued by the Office of International Trade under the export control law or delegated authority relating thereto.

(2) Any administrative action (except compliance actions, including those under Part 377 of this chapter) of the Office of International Trade or duly authorized employees thereof, taken under the aforementioned authority.

Provided, That problems of an over-all nature, affecting exporters as a group, will not be considered within this appeals procedure, but may be referred to Commodity Advisory Panels and Commodity Advisory Committees as provided in § 373.1 of this chapter.

(c) *Definitions.* For purposes of this section,

(1) "Regulation" means any provision of a regulation or order published in the FEDERAL REGISTER or announcement thereof in a Current Export Bulletin which is applicable generally to all persons or to a class of persons.

(2) "Administrative action" means any action taken by the Office of International Trade or duly authorized employees thereof under a regulation with respect to a particular person, and covers all actions taken on license applications, including return without action.

(3) "Appeal" means a request for relief as provided in this section from the provision of a regulation or of an administrative action, and includes an initial review.

(4) "Person" shall be construed to mean the singular or plural, an individual, corporation, partnership, association, company, or any other kind of organization whatsoever, including any government or agency thereof.

(5) "Appellant" means a person filing an appeal.

(d) *Establishment of Appeals Board.* The Appeals Board of the Office of International Trade has been established as an impartial body to consider appeals. The Board consists of a Chairman, who is designated by the Assistant Secretary for Foreign and Domestic Commerce, and two other members.

(e) *Who may file an appeal and upon what grounds.* Any person affected by a regulation or administrative action of the kind described in paragraph (b) of this section may file an appeal on the ground that:

(1) The regulation or administrative action works an exceptional and unreasonable hardship upon him; or

(2) The regulation or administrative action improperly discriminates against him.

(f) *Preparation of appeals.* Appeals must be in writing. All appeals and accompanying material shall be filed in triplicate, unless otherwise indicated below. (If the submission of three copies of all accompanying documents or exhibits would place an undue burden on the appellant, waiver of this rule may be requested at the time the appeal is filed.) Appeals must be clearly marked "Ref: Appeals" followed by a reference to the regulation (or administrative action thereunder) appealed from, and shall be in letter form. All appeals must clearly state (1) the provisions of the regulation or the administrative action appealed from, (2) the grounds for the appeal, and (3) the relief requested by the appellant. The various grounds for the appeal should be separately stated and numbered, with a clear and concise statement of all facts alleged in support of each ground. A request for an oral presentation before the Appeals Board, as provided in paragraph (h) (1) of this section, must be in writing and should be filed with the appeal. An appeal not prepared or filed substantially as provided in this section may be returned to the appellant without action.

In addition to the above described appeals letter, the following papers must be included with appeals of the kind hereinafter described below in this paragraph.

(1) Appeals from license applications rejected or returned without action must include (i) the rejected or returned without action license application—the returned without action applications shall include the original and duplicate, (ii)

a new original copy of the license application, in the case of rejected license applications, on which should be entered the old Department of Commerce case number in space provided under question 4 (b) and (iii) an acknowledgment card (IT 116) showing the old case number.

(2) Appeals from multiple commodities or multiple consignee applications disallowed in part must include (i) a certified or photostat copy of the original application, (ii) a complete new application covering only the rejected items, and (iii) the appropriate acknowledgment card.

(3) Appeals from rejection of request for extension of licenses must include the license unless it has been previously surrendered to the Department of Commerce or a Collector of Customs.

(4) Appeals from denial of request to transfer export licenses must include (i) letters of request for transfer in triplicate from the transferor and transferee, and (ii) the original license unless the license is on file with the Department of Commerce.

(5) Appeals from rejection of requests for export preference assistance for tinsplate or nitrogenous fertilizer materials must include (i) all material included in the original request, (ii) any letter of denial which may have been issued by the Department of Commerce, and (iii) an acknowledgment card (IT 116) marked with the Department of Commerce case number. When export preference assistance has been denied for products other than tinsplate and nitrogenous fertilizer materials, appeals shall be directed to the Office of Domestic Commerce, Department of Commerce, Washington 25, D. C., in accordance with Allotments Regulation 2, as amended.

(g) *When and where to file appeals.* Appeals may be filed not later than twenty days after the publication date of a regulation or the date of transmittal of written notification of administrative action or of a determination upon the initial review. All appeals shall be filed with and addressed to the Office of International Trade, Washington 25, D. C.

(h) *Consideration of appeals.* All appeals will be considered and reviewed initially by appropriate employees of the Office of International Trade prior to submission of the appeals to the Appeals Board. The Appeals Board will consider only those appeals in which (i) the appellant expressly requests in writing that his appeal be considered by the Appeals Board, and (ii) the relief requested has not already been granted. An appellant may request consideration of his appeal by the Appeals Board at the time of original submission or after determination upon the initial review of his appeal by appropriate employees of the Office of International Trade as set forth in this paragraph.

(1) *Oral presentations.* In exceptional cases, where the Appeals Board believes it to be necessary to a proper determination, the appellant may be granted an opportunity to present orally further facts and argument. A date will be set and notice of the time and place (in Washington, D. C.) will be given the appellant by the Appeals Board at least

ten days before the date set for the oral presentation. Such presentations will be heard informally: generally no oaths will be administered to witnesses; and the Appeals Board will not necessarily abide by the rules of evidence. Appellants need not be represented by counsel unless they so wish.

(2) *Records.* Records concerning each appeal will be maintained by the Office of International Trade and may be made available for inspection and copying by persons properly concerned, upon written application. Such application must be addressed to the Appeals Board, and shall set forth the applicant's interest, a description of the material or information contained in the record to be inspected or copied, and the purpose for which it is sought.

(i) *Decisions.* All appeals will be considered and decided within a reasonable time after they are filed. An appeal may be granted or denied, in whole or in part. Determinations by the Appeals Board shall be final. The determination of an appeal will be communicated to the appellant in writing.

PART 379—BLT (BLANKET) LICENSES

Sec.

- 379.1 BLT (Blanket) license.
- 379.2 Commodities subject to procedure.
- 379.3 Application requirements.
- 379.4 Export clearance.
- 379.5 Validity period.
- 379.6 Other applicable provisions.

§ 379.1 *BLT (Blanket) license.* Under the provisions of this part there is established a procedure for the exportation of certain commodities included on the Positive List of Commodities (§ 399.1 of this chapter) and set forth in this part. Pursuant to this procedure application may be made for a BLT (Blanket) license which, if issued, authorizes exportation of the same commodity to two or more consignees in the same country of destination.

§ 379.2 *Commodities subject to procedure.*

Commodity	Schedule B No.
Metal window frames, window sash, and fabricated door frames.....	604900
Milk shipping containers.....	759300
Milk shipping cans.....	780200
Insulin.....	812300
Sodium carbonate, calcined or soda ash.....	836500
Sodium hydroxide or caustic soda, except in small packages.....	837300
Soda ash, causticized.....	837900
Candles.....	983200

In addition, all commodities with the following processing code symbols of the Office of International Trade as are included on the Positive List of Commodities:

MEAT	CERL
DAFF	VEGT
FATS	SEED

§ 379.3 *Application requirements.* (a) Applications for BLT (Blanket) export licenses shall be submitted on form IT 419, with acknowledgment card (form IT 116) attached, and must be accompanied by a list, in duplicate, of the proposed consignees, their addresses, and the quantity requested for each. This list

shall be attached to and will become a part of the license, if issued. In preparing such list, ample space should be left between listings in order to provide collectors of customs with sufficient space for entering quantities shipped to each named consignee.

(b) With respect to this procedure the applicant must hold accepted orders from each of the consignees listed in at least the quantity applied for.

Applications covering commodities subject to the export licensing general policy set forth in § 373.2 of this chapter, must be accompanied by evidence of such accepted orders: *Provided*, That evidence of the accepted orders covering the proposed shipment need not be submitted if the applicant holds accepted orders therefor from several consignees in the same country of destination for the same commodity and the total amount covered by each such order is not more than \$100 in value, or not more than twice the GLV dollar value limit of the commodity, whichever is higher. Such evidence of the accepted orders shall be kept available for inspection by the Department of Commerce for the duration of export control.

(c) A separate application must be submitted for each commodity which it is proposed to export to the same country of destination except that (1) a single application may include all meat products included on the Positive List of Commodities and identified on such List by the Processing Code "Meat", and except that (2) all accepted orders which an applicant holds from consignees in the same country of destination for the same commodity, which are not more than \$100 in value, or not more than twice the GLV dollar value limit of the named commodity whichever is higher, should be included in a single application.

(d) In preparing an application the words "BLT" should be written across the top thereof, and the applicant shall enter:

(1) Under item 7 (a) (the column normally used to list purchasers) "See attached list of consignees".

(2) Under item 9 (b) (the quantity column) the total quantity of material to be exported;

(3) Under item 9 (d) (the value column) the unit price and the aggregate value of the material to be exported. Any variation in price for the same commodity for different consignees must be explained.

(e) BLT (Blanket) license applications may be submitted at any time.

§ 379.4 *Export clearance.* (a) When clearing shipments for export under any BLT (Blanket) license, the licensee must present the license to the Collector of Customs at the port of exit. The total amount shipped against such license shall not exceed the total quantity approved for export, and the total quantity shipped to a single consignee must not exceed the quantity specified for the respective consignee.

(b) A person exporting any commodity pursuant to a BLT (Blanket) license shall enter the symbol "BLT" and the number of the license on each Shipper's

Export Declaration filed with the Collector of Customs at the port of exit at the time of each exportation under each license.

§ 379.5 *Validity period.* BLT (Blanket) licenses will generally be issued for the same validity period as an individual license for the same commodity, unless otherwise stated on the face of the license.

§ 379.6 *Other applicable provisions.* Insofar as consistent with the provisions of this part, all of the provisions of Parts 370 to 399, inclusive, of this chapter shall apply equally to applications for and licenses issued under this part.

PART 380—MULTIPLE CONSIGNEE (MCL) LICENSES

- Sec.
380.1 Multiple Consignee (MCL) license.
380.2 Application requirements.
380.3 Export clearance.
380.4 Validity period.
380.5 Other applicable provisions.

§ 380.1 *Multiple Consignee (MCL) license.* Under the provisions of this part there is established a procedure for the exportation to destinations in Country Group R of commodities not included on the Positive List of Commodities. Pursuant to this procedure application may be made for a multiple consignee (MCL) license which, if issued, authorizes exportation of the same commodity to two or more consignees in the same country Group R destination.

§ 380.2 *Application requirements.* (a) Applications for multiple consignee (MCL) export licenses shall be submitted on form IT 419, with acknowledgment card (form IT 116) attached, and must be accompanied by a list, in duplicate, of the proposed consignees, their addresses, and the quantity requested for each. This list shall be attached to and will become a part of the license, if issued. In preparing such list, ample space should be left between listings in order to provide collectors of customs with sufficient space for entering quantities shipped to each named consignee.

(b) With respect to this procedure the applicant must hold orders from each of the consignees listed in at least the quantity applied for.

(c) A separate application must be submitted for each commodity which it is proposed to export to the same country Group R destination.

(d) In preparing an application the applicant shall enter—

(1) Under item 7 (a) (the column normally used to list purchasers) "See attached list of consignees"—

(2) Under item 9 (b) (the quantity column) the total quantity of material to be exported;

(3) Under item 9 (d) (the value column) the unit price and the aggregate value of the material to be exported.

(e) MCL license applications may be submitted at any time.

§ 380.3 *Export clearance.* When clearing shipments for export under any multiple consignee (MCL) license, the licensee must present the license to the collector of customs at the port of exit.

The total amount shipped against such license shall not exceed the total quantity approved for export, and the total quantity shipped to a single consignee must not exceed the quantity specified for the respective consignee.

§ 380.4 *Validity period.* Multiple consignee (MCL) licenses will generally be issued for a validity period of 90 days, unless otherwise stated on the face of the license.

§ 380.5 *Other applicable provisions.* Insofar as consistent with the provisions of this part, all of the provisions of Parts 370 to 399, inclusive, of this chapter shall apply equally to applications for and licenses issued under this part.

PART 381—LICENSES FOR MULTIPLE SHIPMENTS OF GIFT PARCELS

- Sec.
381.1 Multiple shipments of gift parcels.
381.2 Definition of "gift parcel"
381.3 Application requirements.
381.4 Shipments of Non-Positive List Commodities to Country Group O.
381.5 Other applicable provisions.

§ 381.1 *Multiple shipments of gift parcels.* There is hereby established a procedure whereby commercial gift packaging concerns may apply for licenses to export multiple gift parcels, in a single shipment, through an intermediate consignee for delivery to individuals residing in a single foreign destination. This procedure is applicable only where the total value of the combined shipment exceeds the GLV dollar-value limits specified for both Positive List and Non-Positive List commodities, but where the contents of each individual parcel do not exceed such specified limits: *Provided*, That not more than 100 pounds of flour, 25 pounds of rice, 5 pounds of meat, and 5 pounds of edible fats may be included in an individual parcel. Each gift parcel to be exported under this procedure must contain at least two different commodities, except in the case of gift shipments of flour which may be sent unaccompanied by other commodities.

§ 381.2 *Definition of "gift parcel"* The term "gift parcel" as used in this section means a parcel containing commodities to be sent free of cost to the person ultimately receiving them and must be for the personal use of the addressee or his immediate family.

§ 381.3 *Application requirements.* (a) Commercial gift packaging concerns desiring to export multiple gift parcels under this procedure shall submit individual license applications covering all commodities included on the Positive List of Commodities (§ 399.1 of this chapter) if shipment is to be made to a Country Group O destination and all Positive List and Non-Positive List commodities if shipment is to be made to a Country Group R destination, in accordance with the procedure set forth below.

(1) Separate applications must be submitted for each country of destination to which multiple gift shipments are to be made, and must be accompanied by lists, in duplicate, showing the names of the donors in the United States and donees abroad, together with their addresses, and the date on which the donor

placed the order for a gift parcel with the applicant. The donors named in such lists must be residents of the United States and the number of such individual donors must approximate the number of individual donees; and in no case may one donor send parcels to more than five different donees.

(2) Applicants are required to have on file evidence of current orders from the donors whose names appear on the lists submitted in support of their applications and such records must be readily available for inspection by representatives of the Office of International Trade upon proper request.

(3) License applications must be submitted on form IT 419, accompanied by acknowledgment card, form IT 116, and must include the following:

(i) Under item 6 (a) the name of the applicant who is acting as forwarding agent;

(ii) Under item 6 (b) the words "See attached list of Donors"—

(iii) Under item 7 (a) the words "See attached list of Donees"—

(iv) Under item 7 (b) the name of the intermediate consignee in the foreign country—

(v) Under item 9, a complete description of the proposed shipment including the following:

(a) The total number of gift parcels to be shipped;

(b) The number and description of the shipping containers, i. e., bags, boxes, barrels, etc.,

(c) Total quantity, in terms of Schedule B units, of each commodity where unit of weight is not given, dollar value should be given;

(d) The processing code "Gift"

§ 381.4 *Shipments of Non-Positive List Commodities to Country Group O.* The procedure set forth above does not apply to shipments of commodities not included on the Positive List of Commodities to Country Group O destinations, since such commodities may be exported to any destination within Country Group O under the general license set forth in § 372.7 of this chapter without quantitative restriction. Commodities not on the Positive List of Commodities but which are included in gift parcels to be shipped to a Country Group O destination under this procedure need not be listed on the export license application.

§ 381.5 *Other applicable provisions.* Insofar as consistent with the provisions of this part, all of the provisions of Parts 370 to 399, inclusive, of this chapter shall apply to applications for and licenses issued under this part.

PART 382—CONSOLIDATED (CL) LICENSES

- Sec.
382.1 Consolidated (CL) license.
382.2 General provisions.
382.3 Commodities subject to procedure and special provisions therefor.

§ 382.1 *Consolidated (CL) license.* Under the provisions of this part there is established a procedure for the exportation of the commodities or groups of commodities set forth below in this part. Pursuant to this procedure, application may be made for a consolidated (CL) license which, if issued, authorizes export-

tation of the same commodity or same group of commodities to one or more consignees in the same country of destination.

§ 382.2 *General provisions.* The following general provisions shall apply to all consolidated licenses authorized by this part, except as otherwise provided below in the special provisions of this part governing particular commodities or groups of commodities.

(a) *Application requirements.* (1) A separate application must be submitted for one numbered group of commodities, or a portion thereof, which it is proposed to export to the same country of destination.

(2) Applications shall be submitted on form IT 419, in duplicate, with acknowledgment card (form IT 116) attached. In preparing an application,

(i) The words "Consolidated License" should be written across the top thereof;

(ii) All information requested on the application form must be given, except that the information requested by items 5, 7 (a) and (b) 10, 11, 12 and 13 need not be supplied.

(3) License applications must be submitted quarterly, not later than the fifteenth day of the month preceding the beginning of a new calendar quarter.

(b) *Other applicable provisions.* The provisions of Parts 371 and 374 of this chapter relating to orders for export, presentation of licenses for export clear-

ance and the validity period of licenses shall apply equally to applications for and licenses issued under this part. In addition, insofar as consistent with the provisions of this part, all of the other provisions of Parts 370 to 399, inclusive, of this chapter shall likewise apply.

(c) *Additional applications.* More than one license application may be submitted during a calendar quarter or other designated period of time for proposed exportations of the same group of commodities, or the same portion thereof, to the same destination. Such applications may be granted where it is shown, among other things:

(1) That additional license documents are necessary (i) to facilitate export clearance of the commodity or commodities where shipments are to be made from more than one port of exit; or (ii) because unusual circumstances exist; or

(2) That additional licenses are necessary because additional orders for export have been received since the submission of an earlier application: *Provided*, That in lieu thereof the applicant may request quantitative amendment of an outstanding valid consolidated license previously issued to him.

§ 382.3 *Commodities subject to procedure and special provisions therefor—*
(a) (1) *Motors.*

Group 1—Motors, $\frac{1}{2}$ horsepower and over but not exceeding $\frac{1}{3}$ horsepower, Schedule B No. 704000.

(2) *Special provisions.* License applications may be made at any time during a calendar quarter.

(b) (1) *Batteries.*

Group 1—Automotive storage batteries (starting, lighting, and ignition), Schedule B No. 701300.

(2) *Special provisions.* These batteries are licensed for export under the historical basis of licensing, as described in § 373.8 (c) of this chapter.

(c) (1) *Fully refined paraffin wax.*

Group 1—Paraffin wax, refined, high melting point 143° F AMP and over, Schedule B No. 504600.

Group 2—Paraffin wax, refined, low melting point below 143° F AMP Schedule B No. 504600.

(2) *Special provisions.* Item 10 (ultimate use) on application form IT 419 must be fully answered, when application is made for above Group 2 paraffin wax. Fully refined paraffin wax is licensed for export under the historical basis of licensing; and licenses for above Group 2 wax will be issued only for the end use described in § 373.8 (d) of this chapter.

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

Sec.

399.1 Appendix A—Positive List of Commodities.

399.2 Appendix B—Interpretations; Positive List of Commodities.

399.3 Appendix C—Commodity Processing Codes.

§ 395.1 Appendix A—Positive List of Commodities.

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code & related commodity group	GLV dollar value limits	Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code & related commodity group	GLV dollar value limits
	<i>Animals, edible</i>					<i>Meat products—Continued</i>			
001200	Cattle other than for breeding.....	Unit	MEAT	500	004100	Kidneys, and livers, fresh, frozen or cured, except canned.	Lb.	MEAT 1	25
001300	Hogs (swine).....	Unit	MEAT	100	004300	Tongue, fresh, frozen, pickled, or cured, except canned.	Lb.	MEAT 1	25
	<i>Meat products</i>					Sausage ingredients, salted or otherwise cured, except canned:			
002000	Beef and veal, except canned:				004400	Cheeks.....	Lb.	MEAT 1	25
002100	Fresh or frozen.....	Lb.	MEAT 1	10	004400	Cuttings.....	Lb.	MEAT 1	25
	Pickled or cured.....	Lb.	MEAT 1	10	004400	Ears, dry-salted.....	Lb.	MEAT 1	25
002700	Pork, except canned:				004400	Feet.....	Lb.	MEAT 1	25
	Fresh or frozen pork (report pickled or salted in 003200 and canned in 003700).	Lb.	MEAT 1	25	004400	Heads.....	Lb.	MEAT 1	25
002800	Hams and shoulders, cured (include cooked).	Lb.	MEAT 1	25	004400	Jowls.....	Lb.	MEAT 1	25
002900	Bacon.....	Lb.	MEAT 1	25	004400	Knuckles.....	Lb.	MEAT 1	25
003000	Cumberland and Wiltshire sides.....	Lb.	MEAT 1	25	004400	Lacones, dry-salted.....	Lb.	MEAT 1	25
003200	Other pork, pickled or salted.....	Lb.	MEAT 1	25	004400	Menudos (dry-salted ears and tails).....	Lb.	MEAT 1	25
003400	Mutton and lamb (report canned in 003900).	Lb.	MEAT 1	25	004400	Pastorina strips, smoked.....	Lb.	MEAT 1	25
003500	Sausage, bologna and frankfurters, except canned (report canned in 003800).	Lb.	MEAT 1	25	004400	Pigs' feet.....	Lb.	MEAT 1	25
003600	Beef, canned.....	Lb.	MEAT 1	10	004400	Pork feet, with hocks.....	Lb.	MEAT 1	25
003700	Pork, canned (include canned hams and canned bacon).	Lb.	MEAT 1	25	004400	Snouts.....	Lb.	MEAT 1	25
003800	Sausage, bologna and frankfurters, canned.....	Lb.	MEAT 1	25	004400	Tails, dry-salted.....	Lb.	MEAT 1	25
003900	Tushonka, canned.....	Lb.	MEAT 1	25	004400	Testes.....	Lb.	MEAT 1	25
	Other canned meat (report chicken, canned, in 003801):				004500	Tripe trimmings.....	Lb.	MEAT 1	25
003900	Mutton, boiled, corned, or roasted.....	Lb.	MEAT 1	25	004500	Beef hearts, fresh or frozen.....	Lb.	MEAT 1	25
003900	Veal (include cured).....	Lb.	MEAT 1	25	004500	Brains.....	Lb.	MEAT 1	25
003900	Lamb.....	Lb.	MEAT 1	25	004500	Dehydrated pork.....	Lb.	MEAT 1	25
003900	Ration C: Ration RR.....	Lb.	MEAT 1	25	004500	Goat meat, fresh or frozen.....	Lb.	MEAT 1	25
003900	Meat and vegetable hash.....	Lb.	MEAT 1	25	004500	Oxtails, fresh or frozen.....	Lb.	MEAT 1	25
003900	Blood pudding.....	Lb.	MEAT 1	25	004500	Pig source.....	Lb.	MEAT 1	25
003900	Brains.....	Lb.	MEAT 1	25	004500	Sausage ingredients, fresh.....	Lb.	MEAT 1	25
003900	Deviled meats, except beef or pork.....	Lb.	MEAT 1	25	004500	Sweetbreads.....	Lb.	MEAT 1	25
003900	Hot tamales.....	Lb.	MEAT 1	25	004500	Tripe, fresh.....	Lb.	MEAT 1	25
003900	Kidney stew.....	Lb.	MEAT 1	25		<i>Animal oils and fats, edible</i>			
003900	Lamb tongue.....	Lb.	MEAT 1	25	005000	Oleo oil.....	Lb.	FATS	1
003900	Lunch tongue, except beef, ox or pork.....	Lb.	MEAT 1	25	005100	Oleo stock.....	Lb.	FATS	1
003900	Meat gravy.....	Lb.	MEAT 1	25	005200	Tallow (report inedible tallow in 005700).....	Lb.	FATS	1
003900	Meat paste.....	Lb.	MEAT 1	25	005300	Lard, including neutral lard (report lard substitutes in 144700).....	Lb.	FATS	1
003900	Meat spreads, except beef, pork or chicken.....	Lb.	MEAT 1	25	005600	Oleo stearin (report lard stearin in 081200).....	Lb.	FATS	1
003900	Pemmican.....	Lb.	MEAT 1	25	005900	Oleomargarine of animal or vegetable fats.....	Lb.	FATS	5
003900	Potted meat, except beef, pork or chicken.....	Lb.	MEAT 1	25		<i>Dairy products</i>			
003900	Sweetbreads.....	Lb.	MEAT 1	25	006550	Butter, natural.....	Lb.	DAPP	1
003900	Vegetables cooked with meat, including lentils with frankfurters and beans with frankfurters.....	Lb.	MEAT 1	25	006570	Butter oil.....	Lb.	DAPP	1
					006590	Butter spreads.....	Lb.	DAPP	1

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code & related commodity group	GLV dollar value limits	Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code & related commodity group	GLV dollar value limits
<i>Other edible animal products</i>					<i>Fodders and feeds, n. e. s.—Continued</i>				
009400	Meat extracts, except bouillon cubes	Lb.	MEAT	100	119300	Bone meal	L. ton	CERL	100
009500	Beef scraps, dried	Lb.	MEAT	100	119300	Brewery grain, dried	L. ton	CERL	100
009500	Blood flour	Lb.	MEAT	100	119300	Corn gluten meal	L. ton	CERL	100
009500	Bone scraps	Lb.	MEAT	100	119300	Corn grits and corn meal	L. ton	CERL	100
009500	Dog foods, chief ingredient meat	Lb.	MEAT	100	119300	Cracked corn	L. ton	CERL	100
009500	Meat scraps	Lb.	MEAT	100	119300	Cull beans	L. ton	CERL	1
<i>Animal and fish oils and greases, inedible</i>					119300	Dried beet pulp	L. ton	CERL	100
080300	Neat's-foot oil	Lb.	FATS	1	119300	Dried molasses pulp	L. ton	CERL	100
080501	Lard oil	Lb.	FATS	25	119300	Grain screenings	L. ton	CERL	100
080505	Sperm and whale oil	Lb.	FATS	1	119300	Gluten from feed	L. ton	CERL	100
080598	Inedible animal oils, n. e. s. (report oleo oil in 005000)	Lb.	FATS	1	119300	Hemlock feeds	L. ton	CERL	100
081900	Fish oils (report medicinal in 811900)	Lb.	FATS	1	119300	Hulled oats	L. ton	CERL	100
084300	Grease stearin (include lard stearin)	Lb.	FATS	1	119300	Rice mill feeds	L. ton	CERL	100
084700	Oleic acid, or red oil	Lb.	FATS	25	119300	Rye mill feeds	L. ton	CERL	100
084900	Stearic acid	Lb.	FATS	5	119300	Stunoffaw	L. ton	CERL	100
085700	Tallow, inedible (report ring grease in 085598)	Lb.	FATS	10	119300	Tanage	L. ton	CERL	100
085805	Pig's-foot grease	Lb.	FATS	10	<i>Vegetables and preparations, edible</i>				
085805	Other hog grease	Lb.	FATS	1	120110	Beans, dry, ripe	Lb.	VEGT	1
085898	Beef suet	Lb.	FATS	1	120110	Seed beans, field varieties only	Lb.	SEED 2	100
085898	Ring grease	Lb.	FATS	10	120110	Peas, dry, ripe, except lentils (report cowpeas and chickpeas in 120213 and 120215, respectively)	Lb.	VEGT	100
085898	Other inedible animal greases and fats, n. e. s. (report lubricating greases in 504100)	Lb.	FATS	25	120210	Austrian winter peas	Lb.	SEED 2	100
<i>Other inedible animals and animal products</i>					<i>Nuts and preparations</i>				
099998	Blood albumen		MEAT	100	137510	Peanuts, shelled, for planting	Lb.	FATS 2	10
099998	Dry blood, soluble		MEAT	100	137510	Peanuts, shelled, other	Lb.	FATS	10
099998	Blood meal		MEAT	100	137510	Peanuts, not shelled, for planting	Lb.	FATS 2	10
099998	Bone scrap		MEAT	100	137510	Peanuts, not shelled, other	Lb.	FATS	10
099998	Liver meals		MEAT	100	<i>Vegetable oils and fats, edible</i>				
<i>Grains and preparations</i>					142000	Cocunut oil, refined (include solidified or hardened oil and coconut fat)	Lb.	FATS	1
101100	Barley (bu. 48 lbs.), except seed	Bu.	CERL	100	142000	Cottonseed oil, refined (include Wesson oil and hydrogenated cottonseed oil)	Lb.	FATS	1
101100	Barley for seed	Bu.	CERL 2	100	142000	Soybean oil, refined (report crude soybean oil in 220102)	Lb.	FATS	10
103100	Corn for seed, except popcorn	Bu.	CERL 2	100	143100	Peanut oil	Lb.	FATS	1
103100	Corn, other, except popcorn (bu. 56 lbs.)	Bu.	CERL	100	143100	Corn oil (include Mazola and Amalzo)	Lb.	FATS	1
103500	Grain sorghums (bu. 56 lbs.) except seed (report grain sorghum for seed under 241900)	Bu.	CERL	100	143100	Cooking fats, except lard (include Crisco, Snowdrift and all hard substitutes of animal or vegetable origin)	Lb.	FATS	5
104100	Oats	Bu.	CERL	100	143100	Olive oil, edible	Lb.	FATS	1
105500	Paddy or rough rice, except seed	Lb.	CERL	10	143100	Sunflower seed oil, edible	Lb.	FATS	1
105500	Paddy or rough rice for seed	Bu.	CERL 2	10	143100	Palm and palm-branch oil, edible or refined (all varieties)	Lb.	FATS	1
105700	Milled rice, including brown rice, broken rice and rice screenings	Cwt.	CERL	10	143100	Rapeseed oil, refined	Lb.	FATS	1
105800	Rice flour, meal and polish	Lb.	CERL	10	143100	Vegetable stearin	Lb.	FATS	1
106100	Rye (bu. 56 lbs.), except seed	Bu.	CERL	100	143100	Edible vegetable oils and fats, n. e. s.	Lb.	FATS	1
106100	Rye for seed	Bu.	CERL 2	100	<i>Drugs, herbs, resins, and roots, crude</i>				
107100	Wheat (bu. 60 lbs.) (include seed)	Bu.	CERL	25	220101	Cinchona bark	Lb.	NATS	None
107300	Wheat flour, wholly of U. S. wheat except in cases or in small packages (include graham, malt, pastry and macaroni flours)	Cwt.	CERL	10	<i>Oilseeds</i>				
107400	Wheat flour, not wholly of U. S. wheat (except in cases or in small packages) (include graham, malt, pastry and macaroni flours)	Cwt.	CERL	10	221000	Soy beans for planting	Lb.	FATS 2	10
109000	Wheat semolina	Lb.	CERL	10	221000	Soy beans, other, except canned	Lb.	FATS	10
109900	Wheat flour in cases or small packages and all preparations containing wheat flour classified under Schedule B No. 109900		CERL	10	221000	Caster beans for planting	Lb.	FATS 2	1
109900	Rye flour		CERL	100	221000	Caster beans, other	Lb.	FATS	1
109900	Unhulled ground oats		CERL	100	221000	Cottonseed for planting	Lb.	FATS 2	100
<i>Fodders and feeds, n. e. s.</i>					221000	Cottonseed, other	Lb.	FATS	25
111300	Oil cake and oil-cake meal	L. ton	CERL	100	221000	Flaxseed for planting	Lb.	FATS 2	10
111400	Cottonseed	L. ton	CERL	100	221000	Flaxseed, other	Lb.	FATS	10
111700	Linseed	L. ton	CERL	100	221000	Hemp seed for planting	Lb.	FATS 2	None
111800	Peanut	L. ton	CERL	100	221000	Hemp seed, other	Lb.	FATS	None
112905	Soybean	L. ton	CERL	100	221000	Rapeseed for planting	Lb.	FATS 2	1
112905	Copra	L. ton	CERL	100	221000	Rapeseed, other	Lb.	FATS	1
112909	Other oil cake and oil-cake meal, except castor-bean oil cake and oil cake meal and cocoa press cake	L. ton	CERL	100	221000	Sunflower seed for planting	Lb.	FATS 2	25
114000	Fish meal for feed	L. ton	CERL	100	221000	Sunflower seed, other	Lb.	FATS	25
115000	Bone meal and meat meal, regardless of protein content	L. ton	CERL	100	221000	Palm nuts and kernels	Lb.	FATS	None
118000	Mixed dairy and poultry feeds with crude protein content above 25%	L. ton	CERL	100	221000	Copra	Lb.	FATS 2	25
118000	Mixed dairy and poultry feeds with crude protein content of 25% or less	L. ton	CERL	100	221000	Other oilseeds for planting	Lb.	FATS	25
118500	Dried, powdered, or condensed milk or buttermilk products for feed, regardless of protein content	L. ton	CERL	100	221000	Other oilseeds	Lb.	FATS	25
118500	Milk sugar feed, regardless of protein content	L. ton	CERL	100	<i>Vegetable oils and fats, inedible</i>				
118500	Other prepared and mixed feeds with crude protein content above 25%	L. ton	CERL	100	221000	Expressed oils (except essential) and fats, inedible			
118500	Other prepared and mixed feeds with crude protein content of 25% or less	L. ton	CERL	100	221000	Cocunut oil, crude	Lb.	FATS	1
118710	Roller barley for feed	L. ton	CERL	100	221000	Cottonseed oil, crude	Lb.	FATS	1
119000	Cracked or crushed wheat for feed	L. ton	CERL	100	221000	Linseed oil, crude	Lb.	FATS	10
119000	Other wheat feeds	L. ton	CERL	100	221000	Fatty acids of vegetable origin	Lb.	FATS	1
					221000	Vegetable oil feeds			
					221000	Olive oil	Lb.	FATS	1
					221000	Other	Lb.	FATS	1
					221000	Vegetable soap stock (include vegetable tallow if used for soap stock)	Lb.	FATS	1
					221000	Caster oil, commercial	Lb.	FATS	1
					221000	Corn oil, crude	Lb.	FATS	1
					221000	Peanut oil, crude	Lb.	FATS	1

¹ May be exported under general license to the Philippine Islands and to all destinations in North and South America as listed in Schedule C of the Bureau of the Census.

RULES AND REGULATIONS

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code & related commodity group	GLV dollar value limits	Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code & related commodity group	GLV dollar value limits
	<i>Vegetable oils and fats, inedible—Continued</i>					<i>Sawmill products (lumber)—Continued</i>			
	Expressed oils (except essential) and fats, inedible—Continued					Boards, planks and scantlings, less than 5" in least dimension—Continued			
224506	Rapeseed and oilseed oil, inedible.....	Lb.	FATS	1		Hardwoods—Continued			
224912	Soybean oil, crude (report soybean oil, refined, in 143000).	Lb.	FATS	10	413600	Small hardwood dimension stock: Except squares, other than handle blanks, picker stick blanks, and shuttle block blanks.	M. b. f. & unit	LUMB	None
224915	Olive oil, inedible, except sulfured or foots.	Lb.	FATS	1		Oak squares.....	M. b. f. & unit	LUMB	None
224925	Palm and palm-kernel oil, crude (all varieties).	Lb.	FATS	1	413700		M. b. f. & unit	LUMB	None
224950	Sunflower seed oil, inedible.....	Lb.	FATS	1		Other squares.....	M. b. f. & unit	LUMB	None
224958	Babassu nut oil and sesame oil.....	Lb.	FATS	1	413800				
	<i>Seeds except oilseeds</i>					Railroad ties, sawed (one tie equals 35 bd. ft.) (report hewn in 402600 & 402900):	M. b. f.	LUMB	None
	Grass and field seeds:				415600	Crescoted or otherwise treated.	M. b. f.	LUMB	None
240200	Red clover.....	Lb.	SEED 2	25	415900	Other than crescoted, or otherwise treated.			
240300	Alsike clover.....	Lb.	SEED 2	25		<i>Wood manufactures</i>			
240400	Crimson clover.....	Lb.	SEED 2	25	421401	Plywood, aero grade.....	Sq. ft.	LUMB	None
240400	Clover seed mixtures.....	Lb.	SEED 2	25	421405	Plywood, hardwood, except aero grade.....	Sq. ft.	LUMB	None
241910	Sugar beet seed.....	Lb.	SEED	25	421407	Plywood, Douglas fir, except aero grade.....	Sq. ft.	LUMB	None
241990	Sorghum ²	Lb.	SEED 2	100	421409	Plywood, softwood, except Douglas fir and aero grade.	Sq. ft.	LUMB	None
241990	Vetch.....	Lb.	SEED 2	100	421603	Port Orford cedar veneers only, utility or commercial grade.	Sq. ft.	LUMB	None
	<i>Miscellaneous vegetable products, inedible</i>				422600	Doors.....	Unit.....	LUMB	None
260608	Soybean flour.....	Lb.	SEED	100	422800	Trim and moldings.....	Lin. ft.	LUMB	None
260608	Soybean meal and cake.....	Lb.	SEED	100	423200	Sash and blinds, n. e. s.....	Unit	LUMB	None
260608	Cottonseed flour.....	Lb.	SEED	100	423959	Prefabricated and ready-cut houses (include portable houses, knock-down, wood).	Unit	BLDG	None
260608	Cottonseed meal and cake.....	Lb.	SEED	100		Other millwork and house fixtures:			
260608	Peanut flour.....	Lb.	SEED	100		Prefabricated panels (any floor wall, partition, ceiling, roof or truss panel which is manufactured in a factory and may, in combination with other prefabricated panels or sections of a house, or in combination with conventionally constructed elements produce housing accommodations. Prefabricated panels may, but need not, incorporate window and door frames, sash, doors, builders' hardware, wiring, piping, etc.) (report prefabricated panels forming a complete housing unit in 423950).	Bd. ft.	BLDG	None
260608	Peanut meal and cake.....	Lb.	SEED	100	423990	Prefabricated sections (house sections manufactured in a factory and ready for use when attached to another section or sections of a house, or used in combination with prefabricated panels or conventionally constructed elements or both) (report prefabricated sections forming a complete housing unit in 423950).	Bd. ft.	BLDG	None
	<i>Vegetable fibers and manufactures</i>					Other millwork and house fixtures (include cupboards, cabinets, mantels, grilles, panels (except plywood), partitions, stairs, columns, window and door frames and other built-in house fixtures, made-up or knock-down).	Bd. ft.	BLDG	None
320509	Jute.....	L. ton	TEXT	25	423990	Port Orford cedar battery separators.....	Unit	CDGS	None
320515	Manilla or abaca.....	L. ton	TEXT	25		<i>Coal and related fuels</i>			
320519	Sisal or henequen.....	L. ton	TEXT	25		Coal, anthracite.....	L. ton	COAL	100
321100	Jute yarn, cordage and twine.....	Lb.	TEXT	25		Coal, bituminous.....	L. ton	COAL	100
322401	Used jute bags weighing less than 2 pounds, used burlap bags of any weight, and new jute and burlap bags of any weight.	Unit	TEXT	25		Coal and coke briquets.....	L. ton	COAL	100
	Jute burlaps.....	Lb.	TEXT	25		Coke (include coal-tar-coke) (report petroleum coke in 504800).	L. ton	COAL	100
341100	Binder twine and baler twine except of cotton or jute.	Lb.	TEXT	25		<i>Petroleum and products</i>			
341400	Manilla cordage.....	Lb.	TEXT	25	501100	Petroleum, crude.....	Bbl.	PETR	1,000
341600	Sisal twine, cord and cordage.....	Lb.	TEXT	25		Refined oils:			
349000	Sisal yarns.....	Lb.	TEXT	25		Blending agents or anti-knock compounds of petroleum origin.	Gal.	PETR	100
	<i>Wood, unmanufactured</i>					Aviation motor fuel (bbl. of 42 gals.).....	Bbl.	PETR	1,000
	Logs and hewn timber (indicate quantity scale) (include stumps and burls):					Other motor fuel and gasoline (bbl. of 42 gals.).....	Bbl.	PETR	1,000
	Softwoods:					Kerosene (bbl. of 42 gals.).....	Bbl.	PETR	1,000
401200	Douglas fir.....	M. b. f.	LUMB	None	502700	Gas oil and distillate fuel oil (bbl. of 42 gals.).....	Bbl.	PETR	1,000
401400	Hemlock.....	M. b. f.	LUMB	None	503000	Residual fuel oil (bbl. of 42 gals.).....	Bbl.	PETR	1,000
401700	Port Orford cedar.....	M. b. f.	LUMB	None	503100	Paraffin wax, refined.....	Lb.	PETR	None
401900	Other softwood logs and timber (include southern pine) (report western red cedar in 401600, Port Orford cedar in 401700, and other cedar, including eastern, in 401800).	M. b. f.	LUMB	None	504600	Petroleum coke.....	L. ton	PETR	100
	Railroad ties, hewn (report sawed in 415600 and 415900):				504800				
402600	Crescoted or otherwise treated.....	M. b. f.	LUMB	None		<i>Clay and clay products</i>			
402900	Other than crescoted, or otherwise treated.	M. b. f.	LUMB	None	533200	Closet bowls & water-closet sets (include tanks).	Piece	BLDG	100
403400	Telegraph, trolley, and electric-light poles.....	Unit & lin. ft.	LUMB	None		<i>Other nonmetallic minerals, including precious</i>			
	<i>Sawmill products (lumber)</i>					Gypsum, and manufactures:			
	Sawed timber, 5" or larger in least dimension:					Plaster board and wallboard (include lath).	Sq. ft.	BLDG	60
	Softwoods, not treated:					Mineral wax: ceresin, orange and white only; hardening.	Lb.	PETR	None
406000	Southern pine.....	M. b. f.	LUMB	None	600700	<i>Steel mill products</i>			
406300	Douglas fir.....	M. b. f.	LUMB	None		Pig iron.....	L. ton	STEE	None
406500	Cedar.....	M. b. f.	LUMB	None	601020	Iron and steel scrap:	L. ton	STEE 7	100
406900	Other softwoods (include hemlock and Sitka spruce).	M. b. f.	LUMB	None	601030	No. 1 heavy melting steel scrap.....	L. ton	STEE 7	100
	Crescoted or otherwise treated:					No. 2 melting steel scrap.....	L. ton		
408000	Southern pine.....	M. b. f.	LUMB	None					
408500	Other.....	M. b. f.	LUMB	None					
	Boards, planks and scantlings, less than 5" in least dimension:								
	Softwoods:								
410000	Cypress.....	M. b. f.	LUMB	None					
410100	Douglas fir, rough.....	M. b. f.	LUMB	None					
410200	Douglas fir, dressed.....	M. b. f.	LUMB	None					
410300	Southern pine, rough.....	M. b. f.	LUMB	None					
410400	Southern pine, dressed.....	M. b. f.	LUMB	None					
410610	Ponderosa pine.....	M. b. f.	LUMB	None					
410650	White pine (include northern white, Norway, Idaho white and sugar pine).	M. b. f.	LUMB	None					
410720	Port Orford cedar.....	M. b. f.	LUMB	None					
410790	Other cedar (include western red).....	M. b. f.	LUMB	None					
410800	Redwood.....	M. b. f.	LUMB	None					
410890	Spruce.....	M. b. f.	LUMB	None					
411200	Hemlock.....	M. b. f.	LUMB	None					
411600	Other softwoods.....	M. b. f.	LUMB	None					
	Hardwoods:								
412400	Oak.....	M. b. f.	LUMB	None					
413100	Oak flooring.....	M. b. f.	LUMB	None					
413200	Other hardwood flooring.....	M. b. f.	LUMB	None					

² Bismuth sub-gallate is not classified as an industrial chemical under Schedule B No. 839900.

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code & related commodity group	GLV dollar value limits	Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code & related commodity group	GLV dollar value limits
<i>Steel mill products—Continued</i>					<i>Steel mill products—Continued</i>				
601040	Iron and steel scrap—Continued	L. ton	STEE 7	100	607300	Welded galvanized pipe, wrought iron.....	Lb.	STEE 6	100
	Hydraulically compressed and baled sheet scrap.....	L. ton	STEE 7	100	607305	Iron and steel pipe, n. e. s.....	Lb.	STEE	100
601070	Cast and burnt iron scrap.....	L. ton	STEE 7	100	607310	Floor drains, cast iron; and the following	Lb.	STEE 4	100
601090	Other (include heavy shoveling steel, selected rail scrap, machine-shop turnings, wire shorts, etc.).....	L. ton	STEE 7	100		iron and steel pipe fittings, when 150 lbs. pressure and under: couplings; galvanized pipe fittings; malleable iron pipe fittings; pipe flanges, gray iron, extension; pipe nipples, lap-welded, black; pipe plugs; pipe unions; screw elbows; waste nipples.....	Lb.		
601200	Thinplate circles, strips, cobbles, and scroll-shear butts.....	L. ton	TNPL	1		Wire and manufactures:	Lb.		
601400	Waste—waste thinplate.....	L. ton	TNPL	1	608100	Iron and steel wire, uncoated (plain, stainless and alloy steel included).....	Lb.	STEE	1
	Steel ingots, blooms, billets, slabs, sheet bars, and tin-plate bars (Armco iron, ingot iron, and other iron made in steel-making furnaces included):				608200	Galvanized wire.....	Lb.	STEE	100
	Containing no alloy:				608300	Barted wire.....	Lb.	STEE	100
601605	Steel ingots.....	L. ton	STEE	100	608400	Woven wire fencing.....	Lb.	STEE	100
601606	Steel billets, blooms, and slabs.....	L. ton	STEE	100		Woven wire screen cloth, of all metals and alloys:	Lb.		
601609	Steel sheet bars, and tin-plate bars.....	L. ton	STEE	100	608510	Iron.....	Lb.	BLDG	5
601705	Alloy steel (stainless included):	L. ton	STEE	100	608510	Wire cable and rope, except insulated.....	Lb.	STEE	100
601706	Steel ingots.....	L. ton	STEE	100	608510	Bale twine, wire, iron and steel.....	Lb.	STEE	100
	Iron and steel bars, and rods:				608510	Baling wire, black, annealed; coils, cold-annealed; musical instrument wire; piano wire; spring wire, bright steel, for musical instruments.....	Lb.	STEE	100
602600	Steel bars, cold-finished, including non-alloy and alloy, except stainless.....	Lb.	STEE	100	608510	Wire nails (include wire shoe nails) (report shoe tacks in 602600).....	Lb.	STEE 7	1
602100	Iron bars.....	Lb.	STEE 8	100	608510	Nails: barbed; chisels; cut (include cut shoe nails); roofing, lead-headed; chisels; roofing, zinc-coated; smooth, flat head, cement-coated.....	Lb.	STEE 7	1
602200	Concrete reinforcement bars.....	Lb.	STEE	100		Castings and forgings, iron and steel:	Lb.		
602200	Other steel bars and rods (hot-rolled):	Lb.	STEE 8	100	608510	Railway car wheels, except locomotive.....	Lb.	STEE 13	100
602200	Containing no alloy.....	Lb.	STEE 8	100	608510	Railway car axles, without wheels, except locomotive.....	Lb.	STEE 13	100
602200	Alloy steel, except stainless (report stainless in 602200).....	Lb.	STEE	100	608510	Railway car axles, fitted with wheels, except locomotive.....	Lb.	STEE 13	100
602900	Wire rods except specialty steel.....	Lb.	STEE	100		Iron and steel forgings, n. e. s. (except railway car wheels, tires, and axles, and harneshaes and mule shoes):	Lb.		
	Iron and steel plates, sheets, skelp, and strips:				608510	Containing no alloy.....	Lb.	STEE	100
603000	Boiler plate.....	Lb.	STEE 9	100	608510	Alloy steel (stainless included).....	Lb.	STEE	100
	Other plates, except fabricated (hot and cold rolled included):	Lb.	STEE 9	100		<i>Iron and steel manufactures</i>			
603110	Containing no alloy.....	Lb.	STEE 9	100	608510	Thinplate, decorated, embossed or otherwise advanced.....	TNPL		1
603190	Alloy steel, except stainless (report stainless steel in 603150).....	Lb.	STEE	100		<i>Aluminum and manufactures</i>			
603200	Skelp iron and steel.....	Lb.	STEE	100	608510	Aluminum prefabricated houses (aluminum chief value).....	BLDG		100
603300	Steel sheets, galvanized.....	Lb.	STEE 2	1		<i>Copper and manufactures</i>			
603400	Steel sheets, black, ungalvanized (hot and cold rolled included):	Lb.	STEE 2	1	608510	Copper matte, unrefined copper as blister, converter copper, or anodes (copper content).....	Lb.	NONF 1	25
	Containing no alloy.....	Lb.	STEE 3	100	608510	Refined copper in cathodes, billets, ingots, bars, or other forms (include wire bars).....	Lb.	NONF 1	1
603510	Alloy steel, except stainless (report stainless in 603550).....	Lb.	STEE	100	608510	Old and scrap copper.....	Lb.	NONF 1	1
603600	Iron sheets, black.....	Lb.	STEE 3	100	608510	Copper pipes and tubes.....	Lb.	NONF 1	1
	Strip, hoop, band, and scroll iron and steel: Cold-rolled, containing no alloy:	Lb.	STEE 10	100	608510	Copper plates, sheets and strips.....	Lb.	NONF 1	1
603711	Iron and steel strip.....	Lb.	STEE 10	100	608510	Copper rods (report copperweld rods in 608510).....	Lb.	NONF 1	1
603718	Iron and steel hoop, band, and scroll.....	Lb.	STEE 11	100	608510	Copper wire, bare.....	Lb.	NONF 1	1
603811	Hot-rolled, containing no alloy:	Lb.	STEE 11	100	608510	Insulated copper wire and cable:	Lb.	NONF 1	1
603818	Iron and steel strip.....	Lb.	STEE 11	100	608510	Rubber-covered wire except lamp cord.....	Lb.	NONF 1	1
604100	Iron and steel hoop, band, and scroll.....	Lb.	STEE 11	100	608510	Weatherproof wire.....	Lb.	NONF 1	1
604200	Thinplate and taggers' tin.....	Lb.	TNPL	1	608510	Other insulated copper wire.....	Lb.	NONF 1	1
	Terneplate (long terms included).....	Lb.	TNPL	1		<i>Brass and bronze manufactures</i>			
604300	Structural iron and steel:				608510	Brass and bronze, scrap and off.....	Lb.	NONF 2	1
	Water, oil, gas, and other unlined storage tanks, complete and knockdown material, for temporary or permanent installation, n. e. s.	Lb.	STEE	100	608510	Brass and bronze ingots.....	Lb.	NONF 2	1
	Structural shapes:				608510	Brass and bronze bars, rods and unfinished shafting.....	Lb.	NONF 2	1
604500	Except fabricated.....	L. ton	STEE	100	608510	Brass and bronze blanks.....	Lb.	NONF 2	25
604600	Fabricated:				608510	Brass and bronze plates, sheets, and strips (report window strip and shades in 608510).....	Lb.	NONF 2	100
604600	Prefabricated houses (chief value steel).....	L. ton	BLDG	100	608510	Brass and bronze pipes and tubes (including pipe coils).....	Lb.	NONF 2	100
604600	Other structural shapes, fabricated, including bridges, buildings, portable houses, towers, and welded steel structures (knockdown included).....	L. ton	STEE	100	608510	Brass and bronze pipe fittings.....	Lb.	NONF 2	100
604700	Plates, fabricated, punched, or shaped.....	Lb.	STEE	100	608510	Wire, bare and insulated, brass and bronze.....	Lb.	NONF 2	100
	Sash and frames:				608510	Brass structural shapes.....	Lb.	NONF 2	1
604900	Metal window frames.....	Lb.	BLDG	100	608510	Brass and bronze castings and forgings.....	Lb.	NONF 2	25
604900	Metal window sash.....	Lb.	BLDG	100	608510	Brass electrical.....	Lb.	NONF 2	1
604900	Metal fabricated door frames.....	Lb.	BLDG	100		<i>Lead and manufactures</i>			
605000	Sheet piling.....	Lb.	STEE	100	608510	Lead ore, matte, and base bullion (lead content).....	Lb.	NONF 3	25
	Railway-track material, iron and steel:				608510	Pigs and bars (include blocks and ingots).....	Lb.	NONF 3	100
	Rails:				608510	Sheets and pipes (include bands).....	Lb.	NONF 3	100
605100	60 pounds and over per yard.....	L. ton	STEE	100	608510	Solder.....	Lb.	NONF 3	1
605200	Under 60 pounds per yard.....	L. ton	STEE	100	608510	Type metal (antimonial lead).....	Lb.	NONF 3	100
605300	Relaying rails.....	L. ton	STEE	100	608510	Lead anodes.....	Lb.	NONF 3	1
605400	Rail joints, splice bars, fishplates, and tie plates.....	Lb.	STEE	100	608510	Fall, lead, and lead-41n.....	Lb.	NONF 3	25
	Boiler tubes:				608510	Lead plate, or battery plate, not assembled as complete battery units.....	Lb.	NONF 3	25
606000	Seamless.....	Lb.	STEE 12	100	608510	Lead scrap and residues.....	Lb.	NONF 3	1
606100	Welded.....	Lb.	STEE 12	100					
606200	Casing and oil-line pipe:								
606300	Seamless.....	Lb.	STEE	100					
606400	Welded.....	Lb.	STEE	100					
606500	Seamless black pipe, except casing, oil-line and boiler.....	Lb.	STEE	100					
606600	Malleable iron screwed pipe fittings, 150-lb. pressure and under.....	Lb.	STEE 4	100					
606705	Cast-iron pressure pipe.....	Lb.	STEE 5	100					
606728	Cast-iron pressure pipe fittings.....	Lb.	STEE 5	100					
606805	Cast-iron soil pipe.....	Lb.	BLDG	25					
606838	Cast-iron soil pipe fittings.....	Lb.	BLDG	25					
607000	Welded black pipe, steel.....	Lb.	STEE	100					
607100	Welded black pipe, wrought iron.....	Lb.	STEE 6	100					
607200	Welded galvanized pipe, steel.....	Lb.	STEE	100					

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code & related commodity group	GLV dollar value limits	Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code & related commodity group	GLV dollar value limits
<i>Lead and manufactures—Continued</i>					<i>Other industrial machinery—Continued</i>				
661598	Castings; caulking yarn; circles; disks; flanges; plugs; powder; rings; metal packing rings; roof flanges; sash weights; scale weights; shots; shrapnel; sinkers; strips; tape; washers; weights; wire; wool.	Lb.	NONF 3	25	763900	Other woodworking machinery and parts having a unit value of more than \$1,000.	Unit	GEIQ	100
					770810	Mechanical (dry) vacuum pumps: With a theoretical displacement at normal operating speeds of 20 cubic feet per minute or more and capable of producing a vacuum of 1 millimeter of mercury pressure absolute.	Unit	GEIQ	None
<i>Tin and manufactures</i>						Diffusion vacuum pumps: 5 inches in diameter and larger (diameter measured inside the barrel at the inlet jet.)	Unit	GIEQ	None
665502	Tin tubes.....	Lb.	NONF 4	1		Parts for mechanical (dry) vacuum pumps with a theoretical displacement at normal operating speeds of 20 cubic feet per minute or more and capable of producing a vacuum of 1 millimeter of mercury pressure absolute.	Unit	GIEQ	None
665503	Tin foil.....	Lb.	NONF 4	1	770870	Parts for diffusion vacuum pumps, 5 inches in diameter and larger (diameter measured inside the barrel at the inlet jet.)	Unit	GIEQ	None
665507	Tin metal in ingots, pigs, bars, blocks, slabs and other forms.	Lb.	NONF 4	1					
665508	Tin scrap and waste (include dross).....	Lb.	NONF 4	1	775098				
665598	Other tin and manufactures.....	Lb.	NONF 4	1					
<i>Zinc and manufactures</i>					<i>Agricultural machinery and implements</i>				
667101	Zinc cast in slabs, pigs, or blocks: Special high grade, containing not over 0.007% lead, not over 0.005% iron, not over 0.005% cadmium, no aluminum, and at least 99.99% zinc.	Lb.	NONF 5	50	775098	Milk shipping cans.....	Lb. & unit.	CONT 1	100
667103	High grade, containing not over 0.07% lead, not over 0.02% iron, not over 0.07% cadmium, no aluminum, and at least 99.90% zinc.	Lb.	NONF 5	50					
667105	Intermediate, containing not over 0.20% lead, not over 0.03% iron, not over 0.50% cadmium, no aluminum, and at least 99.50% zinc.	Lb.	NONF 5	50	<i>Railway cars</i>				
667111	Brass special, containing not over 0.60% lead, not over 0.03% iron, not over 0.50% cadmium, no aluminum, and at least 99.00% zinc.	Lb.	NONF 5	50	796600	Freight cars, over 10-ton capacity.....	Unit	TRAN	None
667121	Selected, containing not over 0.80% lead, not over 0.04% iron, not over 0.75% cadmium, no aluminum, and at least 98.75% zinc.	Lb.	NONF 5	50	796750	Mine, industrial, and other freight cars, not over 10-ton capacity.	Unit	TRAN	None
667125	Prime western, containing not over 1.60% lead and not over 0.08% iron.	Lb.	NONF 5	50	796800	Air-brake equipment, and parts.....	Unit	TRAN	100
667198	Other zinc cast in slabs, pigs, or blocks....	Lb.	NONF 5	50	796900	Parts for railway cars (report axles and wheels in 610515, 610518, 610525, 610528, 610535, and 610538) except: car power units, and parts; car replacers, and parts; dashlights, and parts, for railway motor cars; illuminating lights and parts; inspection car parts; maintenance car parts; pinlock brakes and parts; power units, for electric and gasoline motor cars; push car parts; release handles, and parts; sleet cutters; track inspection car parts; trackless trolley parts; tram parts, electric; trolley retrievers, and parts; truck parts, railroad, gasoline; and velocipede railway parts.	Unit	TARN	100
<i>Other nonferrous ores, metals and alloys, except precious</i>					<i>Coal-tar products</i>				
662000	Babbitt metal (report scrap and dross in 664998).	Lb.	NONF 3	1		Crude and refined coal tar.....	Gal.	DYES	100
CC4501	Antimony ores and concentrates (antimony matter, containing lead).	Lb.	NONF 6	50	800500	Benzol.....	Gal.	DYES	100
664505	Beryllium ores and concentrates.....	Lb.	NONF	None	800600	Coal-tar pitch.....	L. ton	DYES	100
664510	Bismuth matte, slimes, residues and base bullion.	Lb.	NONF 7	1	800700	Creosote or dead oil.....	Gal.	DYES	100
664901	Antimony (include metals or regulus, needle or liquated antimony, alloys and antimony-bearing scrap metal).	Lb.	NONF 6	1	801000	Naphthalene.....	Lb.	DYES	100
664905	Beryllium alloys, and scrap.....	Lb.	NONF	None	802000	Tar acid oil.....	Lb.	DYES	100
664906	Beryllium metal.....	Lb.	NONF 7	None	802300	Phenol.....	Lb.	DYES	100
664910	Bismuth metals and alloys.....	Lb.	NONF 7	1	802400	Cresylic acid and cresols.....	Lb.	DYES	1
664915	Cadmium metals (include metallic shapes)...	Lb.	NONF 6	1	802590	Dimethyl phthalate.....	Lb.	DYES	100
664917	Cadmium alloys.....	Lb.	NONF 6	100	802590	Meta cresol.....	Lb.	DYES	1
664950	Radium metal (radium content).....	Mg.	NONF 7	None	802590	Ortho cresol.....	Lb.	DYES	1
664998	Babbitt metal, dross and scrap.....	Lb.	NONF 3	1	802590	Para cresol.....	Lb.	DYES	1
664998	Copper alloys in primary forms, except brass, bronze, nickel, or gold.	Lb.	NONF 1	25	<i>Medicinal and pharmaceutical preparations</i>				
664998	Gallium metal.....	Lb.	NONF 7	None	811100	Castor oil (report commercial grades in 224901).	Gal.	DRUG	25
664998	Polonium metal.....	Lb.	NONF 7	None	812300	Insulin.....	Av. oz.	DRUG	10
667000	Type (include multigraph type) (report type metal in 651505).	Lb.	NONF 3	100	812730	Quinine sulfate.....	Av. oz.	DRUG	*None
669198	Beryllium metal manufactures and beryllium alloy manufactures including, but not limited to, wire, sheets, castings, tubes, crucibles, discs.	Unit	NONF	None	812750	Quinine hydrochloride in bulk form only (quinine Av. oz. sulfate content).	Av. oz.	DRUG	*None
<i>Electrical machinery and apparatus</i>					812750	Quinidine alkaloid.....	Av. oz.	DRUG	*None
701300	Batteries, storage, 6 and 12 volt, include aircraft, automotive, and radio batteries and knocked down assemblies.	Unit	ELME	None	813575	Quinidine salts & compounds.....	Av. oz.	DRUG	100
704000	Motors, ½ horsepower and over but not exceeding ¼ horsepower.	Unit	ELME	25	813575	Streptomycin.....	Av. oz.	DRUG	25
707410	Induction furnaces, vacuum metal-melting only, and component parts therefor.	Unit	ELME	None	813590	Bismuth sub-carbonate.....	Av. oz.	DRUG	25
707550	X-ray windows containing beryllium.....	Unit	SATE	None	813590	Bismuth sub-gallate.....	Av. oz.	DRUG	25
709415	Rigid metal conduit, iron or steel.....	Lb.	BLDG 5	25	813590	Bismuth sub-nitrate.....	Av. oz.	DRUG	25
709418	Rigid metal conduit, other than iron or steel.	Lb.	BLDG 6	25	813590	Bismuth sub-salicylate.....	Av. oz.	DRUG	25
709490	Other metal conduit, outlet and switch boxes.	Unit	BLDG 5	25	813590	Radium salts & compounds for medical use (state radium content).	Av. oz.	DRUG	None
709500	Duplex receptacles; flush toggle and flush tumbler switches, single-pole and three-way, 10 amperes and under at 125 volts.	Unit	BLDG	25	813590	Radon (radium emanations).	Av. oz.	DRUG	None
<i>Other industrial machinery</i>					813590	Chemicals containing artificial radioactive isotopes.	Av. oz.	DRUG	None
750300	Milk shipping containers.....	Lb. & unit.	OONT 1	100	<i>Chemical specialties</i>				
763600	Planers, matchers, jointers and molders having a unit value of more than \$1,000.	Unit	GIEQ	100	820600	Naphthalene balls and flakes.....	Lb.	SALT	100
763800	Veneer machinery, and parts.....	Unit	GIEQ	100		Synthetic gums and resins: In powder, flake or liquid form (scrap included):			
					825500	Tar-acid resins:			
					825500	Phenol-formaldehyde resins.....	Lb.	PLAT	100
						Rosin-modified phenolic resins.....	Lb.	PLAT	100
						Sheets, plates, rods, tubes, and other unfinished forms:			
						Laminated:			
						Phenol-formaldehyde resins.....	Lb.	PLAT	100
						Not laminated:			
						Phenol-formaldehyde resins.....	Lb.	PLAT	100

*Where an asterisk precedes the GLV dollar-value limit for any commodity all forms, conversions, and derivatives of the commodity, even though not covered by the Schedule B number for the entry, are subject to the value limitations specified.

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code & related commodity group	GLV dollar value limits	Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code & related commodity group	GLV dollar value limits
	Chemical specialties—Continued					Fertilizers and fertilizer materials			
	Synthetic gums and resins—Continued					Nitrogenous fertilizer materials:			
	Sheets, plates, rods, tubes, and other unfinished forms—Continued					Ammonium sulfate	Lb.	FERT 3	100
83970	Reagent chemicals for laboratory use (C. P., U. S. P., N. F., A. C. S. or other recognized reagent grades only).		(Export controls applicable to each reagent chemical under this classification are those which apply to other grades of the chemical exported under different Schedule B numbers (see controls applicable to medicinal and pharmaceutical preparations and industrial chemicals).)			Sodium nitrate, n. e. s.	Lb.	FERT 3	100
						Ammonium nitrate as fertilizer	Lb.	FERT 3	100
						Calcium cyanamide	Lb.	FERT 3	1
						Calcium nitrate	Lb.	FERT 3	100
						Urea	Lb.	FERT 3	100
						Other nitrogenous chemical materials	Lb.	FERT 3	100
83980	Diffusion pump oils (oils enabling the attainment of vacuum of 10 ⁻⁴ millimeters of mercury pressure absolute in a single stage diffusion pump) (include silicone diffusion pump fluids)	Lb.	SALT	25		Nitrogenous organic waste materials (include fish meal, hoof meal, guano, castor-bean pomace, manure, packing-house offal intended for fertilizer)	Lb.	FERT 3	100
	Industrial chemicals					Phosphate fertilizer materials:			
83990	Chromic acid	Lb.	ACID	25		Potassium chloride ¹	Lb.	FERT 3	100
84100	Ethylene glycol	Lb.	DYES	25		Potassium sulfate ¹	Lb.	FERT 3	100
84160	Glycerin (100% glycerin basis)	Lb.	DYES	100		Nitrogenous phosphatic types (concentrated chemical fertilizers) (include ammonium phosphate)	Lb.	FERT 3	100
84160	Crude glycerin	Lb.	DYES	100		Prepared fertilizer mixtures manufactured principally for use in the production of general agricultural crops (such as 4-12-4, 8-10-5, etc.), not including premium-type plant foods such as Vigoro, Clipp Plant Food, Nitrophoska and other prepared fertilizer mixtures used primarily for truck crops, gardens and lawns	Lb.	FERT 3	200
84160	Lauryl alcohol	Lb.	DYES	100					
84290	Lead acetate	Lb.	DYES	100		Soap and toilet preparations			
	Potassium compounds, except fertilizers (report potassic fertilizer materials in 83900 and 83910):					Soap, fancy and medicated (include gift sets of toilet preparations where value of soap exceeds value of other items)	Lb.	FATS	1
83570	Potassium bichromate and chromate	Lb.	SALT	25		Laundry	Lb.	FATS	1
83580	Potassium perchlorate and mixtures ¹	Lb.	SALT	100		Powdered or flaked (include Lux, Fab, Chloro, Ivory Flakes, Boods, Rinco, etc.)	Lb.	FATS	1
83580	Sodium carbonate, calcined or soda ash	Lb.	ACID	100	87100	Shaving creams, in bulk only	Lb.	FATS	1
83580	Sodium bichromate and chromate	Lb.	SALT	100		Shaving powders, in bulk only	Lb.	FATS	1
83730	Sodium hydroxide or caustic soda, except in small packages	Lb.	ACID	100	87200	Nonabrasive types of pastes, powders, and household washing powders (fat content not over 25%) (report household washing powders, fat content over 25%, in 87300)	Lb.	FATS	1
83790	Soda ash, causticized	Lb.	SALT	100		Abrasive types of soaps (fat content above 10%) other than pastes and powders	Lb.	FATS	1
83790	Sodium nitrate	Lb.	SALT	100	87300	Other soap	Lb.	FATS	1
83790	Sodium bisulfate	Lb.	SALT	None		Miscellaneous commodities, n. e. s.			
83840	Ammonium nitrate	Lb.	FERT	100	88300	Candles	Lb.	CDGS	1
83850	Ammonium sulfate	Lb.	SALT	100		Commodities exported for relief or charity by individuals and private agencies: (The following classifications are not used for exports for relief or charity by U. S. Government agencies or by UNRRA, except for exports of used clothing, blankets, and bedding by such agencies, which are reported under 89200 or 89300. All other exports by U. S. Government agencies or by UNRRA, including new clothing, blankets, and bedding are reported under their specific Schedule B numbers):			
83850	Urea (except synthetic resins and fertilizers)	Lb.	SALT	100		Feed			
83850	Urea ammonium salts	Lb.	SALT	100		Clothing			
83900	Actinium bearing salts and compounds	Lb.	SALT	None		Blankets and bedding			
83900	Antimony oxides (tri-, tetra-, penta-)	Lb.	SALT	100		Drugs and biological supplies			
83900	Antimony sulfide	Lb.	SALT	100		Surgical, sanitary and hospital supplies and equipment			
83900	Beryllium salts and compounds including, but not limited to, beryllium oxide, beryllium nitrate, beryllium sulphate, beryllium carbonate ¹	Lb.	SALT	None		Ambulances and other motor equipment			
83900	Bismuth salts and compounds ²	Lb.	SALT	1		Other			
83900	Bismuth sub-carbonate	Lb.	SALT	1		General merchandise valued at less than \$50. This commodity number is applied to:			
83900	Bismuth sub-nitrate	Lb.	SALT	1		(a) All single items of Schedule B commodities valued at less than \$50.			
83900	Bismuth sub-salicylate	Lb.	SALT	1		(b) All totals of Schedule B commodities, single items of which are valued at less than \$50, including shipments to postmasters or other agents for distribution at destination.			
83900	Chemicals containing artificial radioactive isotopes	Lb.	SALT	None					
83900	Chromium salts and compounds (except chemical pigments)	Lb.	SALT	100					
83900	Gallium salts and compounds	Lb.	SALT	None					
83900	Lead antimonate	Lb.	SALT	100					
83900	Lead arsenite	Lb.	SALT	100					
83900	Lead dioxide	Lb.	SALT	100					
83900	Polonium bearing salts and compounds	Lb.	SALT	None					
83900	Radium ore concentrates	Lb.	SALT	None					
83900	Radium salts and compounds (radium content)	Lb.	SALT	None					
83900	Tin compounds	Lb.	SALT	1					
	Pigments, paints, and varnishes								
84140	Lithopone	Lb.	PLAT	100					
84240	Red lead, dry (report red lead in oil in 84310)	Lb.	PLAT	100					
84250	Litharge	Lb.	PLAT	100					
84260	White lead, dry (basic lead carbonate)	Lb.	PLAT	100					
84270	White lead, in oil	Lb.	PLAT	100					
84290	Basic sulfate of white lead	Lb.	PLAT	100					
84290	Chrome pigments containing 10% or more chromium, except lead-free chrome pigments	Lb.	PLAT	100					
84290	Lead pigments, including blue lead and lead sulphate	Lb.	PLAT	100					
84310	Lead sublimed in oil	Lb.	PLAT	100					
84310	Red lead in oil	Lb.	PLAT	100					
84350	Paints containing radium	Gal.	PLAT	None					

¹ May be exported under general license to the Philippine Islands and to all destinations in North and South America as listed in Schedule C of the Bureau of the Census.

² Bismuth sub-gallate is not classified as an industrial chemical under Schedule B No. 839900.

GENERAL NOTES TO APPENDIX A

a. Where the commodity description of a Schedule B number on the Positive List of Commodities mentions only a part of the commodities covered by the Schedule B listing, only the commodity or commodities specifically mentioned are included on the Positive List.

b. The quantity classifications given for each commodity in the column headed "Unit" must be shown on export license applications. If there is no entry in the Unit

column, the application should show the unit of quantity commonly used in the trade.

c. The column headed "GLV Dollar Value Limits" has reference to the value limits under the general license Shipments of Limited Value "GLV" established by § 372.10 of this chapter.

d. For complete listing of commodity processing codes referred to in the column headed "Processing Code and Related Commodity Group", see § 395.3. Related commodities are commodities which have the same proc-

essing code symbol and the same number following such symbol.

e. The abbreviation "n. e. s." appearing in various entries on the Positive List of Commodities means "not elsewhere specified".

§ 395.2 Appendix B—Interpretations; Positive List of Commodities—(a) Interpretation 1; pipe: casing, oil line and seamless. (1) Casing and oil-line pipe and seamless black pipe (except casing, oil-line and boiler), Schedule B Nos. 606200, 606300, and 606400, have in the

Export controls applicable to each commodity under these classifications are those which apply to the commodity when exported commercially under its individual Schedule B number.

Export controls applicable to each commodity under this classification are those which apply to the commodity when exported under its individual Schedule B number.

RULES AND REGULATIONS

past been exported in considerable quantities under general license as pump installation parts. Such shipments were permissible since pump installation parts do not require validated licenses for export. However, in view of the critical supply of pipe and casing, it is necessary to set forth a limitation on the quantity of these commodities that may be exported under general license as pump installation parts.

(2) It has been decided, therefore, that a maximum of 250 feet of pipe or casing may be exported under general license as part of a pump installation, regardless of pump capacity. Pipe or casing shipped as pump installation parts in quantities exceeding the 250-foot maximum require validated licenses for export.

(b) *Interpretation 2; export of nails packaged with asphalt roofing or asbestos roofing or siding.* Wire nails, classified under Schedule B No. 609200, and certain roofing and siding nails, classified under Schedule B No. 609500, require a validated license for export. However, small quantities of galvanized needle point nails, not to exceed $\frac{2}{3}$ pound, when packaged with each square of asbestos roofing, or an amount not to exceed $1\frac{3}{4}$ pounds special alloy nails, when packaged with each square of siding, may be exported to any destination with the roofing or siding without additional specific license.

The Bureau of the Census has ruled that nails in quantities customarily packaged with each square of roofing or siding are not classified under Schedule B Nos. 609200 or 609500, but are included in the classification of the roofing or siding which are the commodities of chief value in the shipments.

§ 395.3 *Appendix C—Commodity processing codes.* The following commodity processing code symbols shall be used by applicants in preparing applications for export licenses. Applications for licenses to export commodities appearing on the Positive List shall show the appropriate processing code for each commodity, immediately followed by the letter "L"; applications for licenses to export non-Positive List commodities shall show the appropriate processing code for each commodity, immediately followed by the letter "R."

Schedule B No.	Commodity group	Processing code
001000-001600	Animals, edible	MEAT
001900		DAFF
002000-003800	Meat products	MEAT
003900		DAFF
003907-003909		MEAT
004000		DAFF
004100-004900		MEAT
005000-005600	Animal oils and fats, edible	FATS
006000-006998	Dairy products	DAFF
007000-009008	Fish and fish products	DAFF
009200-009308	Other edible animal products	DAFF
009400-009900		MEAT
010102-025098	Hides and skins, raw, except furs	LEAT

Schedule B No.	Commodity group	Processing code
080000-085900	Leather	LEAT
086000-089900	Leather manufactures	LEAT
071100-075900	Furs and manufactures	TEXT
080300-085898	Animal and fish oils and greases, inedible	FATS
090000-090900	Other inedible animals and animal products	MEAT
092300-092900		TEXT
093500		CDGS
094205		SALT
094298		CDGS
095905		NATS
095923-095925		CDGS
095998		MEAT
101100-109900	Grains and preparations	CERL
110100-119900	Fodders and feeds, n. e. s.	CERL
120110	Vegetables and preparations, edible	VEGT
120150-120213		SEED
120215-120219		SEED
120250		VEGT
120700-125100		FATS
125210		VEGT
125235-125902		VEGT
125905-125911		CERL
125998		VEGT
130100-135098	Fruits and preparations	VEGT
137400	Nuts and preparations	SURT
137510-187550		FATS
137610-187995		SURT
142000-144998	Vegetable oils and fats, edible	FATS
150100-151300	Table beverage materials	SURT
154901-154998	Spices	SURT
161910-164700	Sugar and related products	SUB
170100-176000	Beverages	SURT
177200-177900		VEGT
178000		SURT
200100-209990	Rubber (natural, allied gums, and synthetics) and manufactures	RUBR
211000-212500	Naval stores, gums, and resins	NATS
218000		RUBR
218600-218998		NATS
220100-220998	Drugs, herbs, leaves, and roots, crude	NATS
221000-222098	Oilseeds	FATS
223000-224998	Vegetable oils and fats, inedible	FATS
226800-228000		NATS
231100-233998	Vegetable dyeing and tanning extracts	LEAT
240100-247500	Seeds, except oilseeds	SEED
259905-259998	Nursery and greenhouse stock	SEED
260110-262950	Tobacco and manufactures	TOBO
281100-281300	Miscellaneous vegetable products, inedible	CERL
283100-283500		CDGS
285100		SURT
289905		FATS
289991		SURT
289993		CDGS
289995		LEAT
289998		SEED

Schedule B No.	Commodity group	Processing code
300000-300401	Cotton, unmanufactured	TEXT
300600-301320	Cotton semimanufactures	TEXT
301500-319900	Cotton manufactures	TEXT
320501-349998	Vegetable fibers and manufactures	TEXT
360903-360911	Wool, unmanufactured	TEXT
362200-363300	Wool semimanufactures	TEXT
364201-368998	Wool manufactures	TEXT
369050-369900	Hair and manufactures, n. e. s.	TEXT
370200-379900	Silk and manufactures	TEXT
383005-385900	Synthetic fibers and manufactures	TEXT
390100-395800	Miscellaneous textile products	TEXT
396300		CDGS
397000-399900		TEXT
400100-403900	Wood, unmanufactured	LUMB
406000-415900	Sawmill products	LUMB
420110-420600	Wood manufactures	LUMB
420910-420950		CONT
421401-421605		LUMB
422100		CONT
422200-422800		LUMB
423000-423100		CDGS
423200		LUMB
423950-423990		BLDG
424200-426000		CDGS
428500-429200		LUMB
429850-429900		CDGS
430000-430900	Cork and manufactures	LUMB
460000-469998	Paper base stocks	PULP
471200-477500	Paper, related products, and manufactures	PULP
477700		CONT
477800		PULP
478100-478299		CONT
479300-479900		PULP
500100-500400	Coal and related fuels	COAL
501100-505900	Petroleum and products	PETR
510100-517000	Stone, hydraulic cement, and lime	BLDG
517100		FERT
521200-522000	Glass and products	BLDG
523005		SATE
523098		CDGS
523200-523600		CONT
523710-529100		CDGS
529200		ELME
529900		CDGS
530300-530912	Clay and products	NONF
532000		CDGS
533200-533400		BLDG
533500-533900		ELME
533800		CDGS
536100-537900		BLDG
540500-540905	Other nonmetallic minerals (precious included)	TOOL
540910		CDGS
540920-540998		NONF
541105		STEE
541198		NONF
541200		TOOL
541300		STEE
541800-541900		CDGS
545105-545198		NONF
545300-545400		BLDG

[F. R. Doc. 48-6434; Filed, July 16, 1948;
8:59 a. m.]

No. 139—6

[3d Gen. Rev. of Export Regs., Amdt. 2]

PART 370—ORDERS AND DELEGATION OF AUTHORITY

PRACTICE BEFORE THE OFFICE OF INTERNATIONAL TRADE

Section 370.1 *Representation by former employees before the Office of International Trade* is amended to read as follows:

§ 370.1 *Practice before the Office of International Trade*—(a) *Activities of persons appearing before the Office of International Trade in connection with export control matters.* (1) There may be excluded from practice before the Office of International Trade in connection with any export control matter any person who shall be found guilty of engaging in any unethical activity or who shall be demonstrated not to possess the required integrity and ethical standards. Among the grounds for such exclusion are the following:

(i) Inducing or attempting to induce by gifts, promises, bribes, or otherwise any officer or employee of the Office of International Trade or any Customs or Post Office official to take any action with respect to the issuance of licenses or any other aspects of the administration of the export control law whether or not in violation of any regulation.

(ii) Soliciting by advertisement or otherwise the handling of business before the Office of International Trade on the representation, express or implied, that such person, through personal acquaintance or otherwise, possesses special influence over any officer or employee of that Office.

(iii) Charging or proposing to charge for any service performed in connection with the issuance of any license any fee wholly contingent upon the granting of such license and the amount or value thereof. This provision will not be construed to prohibit the charge of any fee agreed to by the parties, provided that the out-of-pocket expenditures and the reasonable value of the services performed, whether or not the license is issued and regardless of the amount thereof, are fairly compensated.

(iv) Knowingly violating or participating in the violation of, or an attempt to violate, any regulation with respect to the exportation of commodities, including the making or inducing another to make any false representations to facilitate any exportation in violation of the export control law or any order or regulation issued thereunder.

(2) As used in this paragraph the term "practice before the Office of International Trade" includes (i) the submission on behalf of another of applications for export license or other documents required to be filed with the Office of International Trade, or the execution of the same; (ii) conferences or other communications on behalf of another with officers or employees of the Office of International Trade for the purpose of soliciting or expediting approval by the Office of International Trade of applications for export licenses or other documents, or with respect to quotas, allocations, requirements or other export control actions, pertaining to matters

within the jurisdiction of the Office of International Trade; (iii) participation on behalf of another in any proceeding pending before the Office of International Trade; (iv) the submission to a customs official on behalf of another of a license or export declaration or other export control documents.

(3) Proceedings for exclusion from practice hereunder shall be conducted in the same manner as provided in Part 377 of this chapter with respect to denial of licensing privileges.

(b) *Former employees.* This paragraph relates to appearances of former employees as representatives of third persons. No person shall appear or be permitted to appear before or otherwise deal with the Office of International Trade as the agent, attorney or representative of any individual, corporation, partnership or any group or body of persons, however designated, other than the United States or any department or agency thereof, if such person has at any time been officially associated with the specific transaction to which such appearance or dealing relates, as a full-time or part-time, compensated or uncompensated officer or employee of the Office of International Trade or any of its predecessor or constituent agencies.

Paragraph (a), which is the new matter added by this amendment, shall become effective August 1, 1948.

(Sec. 6, 54 Stat. 714, 55 Stat. 206, 56 Stat. 463, 58 Stat. 671, 59 Stat. 270, 60 Stat. 215; Pub. Laws 145, 188, 395, 80th Cong., 50 U. S. C. App. 701, 702; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; E. O. 9919, Jan. 13, 1948, 13 F. R. 59)

Dated: July 15, 1948.

FRANCIS MCINTYRE,
Assistant Director,
Office of International Trade.

[F. R. Doc. 48-6435; Filed, July 16, 1948; 8:59 a. m.]

[3d Gen. Rev. of Export Regs., Amdt. 1]

PART 371—GENERAL REGULATIONS

MISCELLANEOUS AMENDMENTS

Part 371, "General Regulations" is amended in the following particulars:¹

1. § 371.1 *Definitions* is amended by adding thereto a new paragraph (o) to read as follows:

(o) "Export control document" means a validated export license, an authenticated shipper's export declaration based upon such a license or used to effect a shipment under general license, a dock receipt or bill of lading issued by any carrier upon the basis of such validated license or export declaration, or any other

¹ An Explanatory Statement accompanying this amendment is contained in Current Export Bulletin 467, dated July 9, 1948, published and heretofore released for public distribution by the Department of Commerce, Office of International Trade. Copies of this Explanatory Statement were filed with the Division of the Federal Register simultaneously with this amendment. The Statement, interpretative of the amendment, appears at the end hereof.

document provided in Parts 370 to 399, inclusive, of this chapter, to be evidence of the existence of an export license for the purpose of loading onto an exporting carrier or otherwise facilitating or effecting an exportation from the United States of any commodity or commodities requiring an export license; and "Parties", in connection with any export control document and any exportation, means (1) the licensee named in the export control document (identified in shippers' export declaration forms as "principal or seller"), who shall be the exporter; (2) the purchaser or ultimate consignee named in the export control document, who (i) shall be the person to whom the licensee is authorized to export, whether by sale, consignment or otherwise, and (ii) shall be situated in the country of ultimate destination named in the same document; and (3) the intermediate consignee named in the export control document (identified in Form IT-419 as "consignee"), to whom the commodities may be consigned for the purpose of effecting delivery to the purchaser or ultimate consignee.

2. Section 371.2 *Prohibited exportations* is amended as follows:

Paragraph (c) *Violations* is redesignated § 371.2a and is amended to read as follows:

§ 371.2a *Violations* — (a) *General.* Violations, by any person, of the export control law and any proclamation, order, rule or regulation issued thereunder are punishable by a fine of not more than \$10,000 or by imprisonment for not more than two years, or both. Violations are also subject to administrative action of suspension, revocation or denial of licenses and licensing privileges granted pursuant to the authority of the export control law. The submission of false or misleading statements is a violation hereunder punishable under the export control law, and other applicable statutes. In addition, commodities attempted to be, or being, or intended to be, exported or shipped from or taken out of the United States in violation of the export control law or any proclamation, order, rule or regulation issued thereunder, are subject to seizure. With respect to licenses, the applicant to whom the license is issued becomes the licensee and will be held strictly accountable for use of the license.

(b) *Misrepresentations.* (1) All representations, statements and certifications made by any licensee or any other person for the purpose of effecting or causing to be effected an exportation of any commodity or commodities from the United States shall be deemed to constitute representations, statements and certifications made in respect of matters relating to the jurisdiction of the Office of International Trade and the Bureau of Customs under the statutes, proclamations, executive orders, and regulations relating to export control and orders or licenses issued thereunder. It shall be unlawful under Parts 370 to 399, inclusive, of this chapter, and the export control law, in addition to the provisions of any other law, for any person knowingly to make or cause to be made any false representation, statement or certification, or to falsify or conceal any material

fact, for the purpose of effecting or causing to be effected an exportation of any commodity or commodities from the United States.

(2) Every person, whether or not situated in the United States, and whether or not the purchaser or ultimate consignee, who shall make any representation, whether directly to the Office of International Trade or any Collector of Customs or indirectly through any applicant for or holder of any export license, authenticated shipper's export declaration or other export control document, for the purpose of effecting or inducing the issuance, or maintenance in effect, of any export license, shipper's export declaration or other export control document, shall be subject to Parts 370 to 399, inclusive.

(3) Without limitation of the foregoing or of any other provisions of the law or Parts 370 to 399, inclusive, of this chapter, no such person shall:

(i) Falsely state the country of ultimate destination intended, or divert commodities in violation of the terms, provisions and conditions of any export control document to any country other than that of the destination named in the document, or attempt or conspire to do the same.

(ii) Falsely describe the true ultimate consignee or purchaser to, or conceal his true identity from, the applicant or licensee, or from the Office of International Trade or any Collector of Customs.

(iii) Submit any order for the purchase or importation from the United States of any commodity, or state in writing any commitment to purchase or import the same, with the intention not to abide by such order or commitment, or not perform the terms thereof, whether or not the applicant or licensee is aware of such intention. Unless notice of change in intention is communicated and received by the Office of International Trade prior to exportation, in time to permit revocation or amendment, all parties will be deemed to represent continuously to the Office of International Trade that the intention continues to be that of abiding by the order or commitment and of performing the same.

(iv) Falsely state the end-use to be served by the exportation in question.

(4) In addition to the application of other provisions of law and of Parts 370 to 399, inclusive, of this chapter, any person who shall violate any of the foregoing provisions of this section may be declared ineligible by the Office of International Trade to be a party of any licensed exportations, and it shall be unlawful for any person knowingly to apply for or obtain any license, shipper's export declaration or other export control document relating to any exportation of commodities to or for such person so declared ineligible without prior disclosure of such facts to, and specific authorization of, the Office of International Trade.

3. By inserting a new § 371.4a between §§ 371.4 and 371.5 to read as follows:

§ 371.4a *Export control documents; trafficking, advertising, misuse and unauthorized amendments.* (a) Except as otherwise specifically authorized in Parts 370 to 399, inclusive, of this chapter, or in

writing by the Office of International Trade, it shall be unlawful for any person, whether or not the licensee, to receive, use, alter, assist in or permit the use or alteration of, any export control document, for the purpose of facilitating or effecting any exportation other than that set forth in such document or except in accordance with all the terms, provisions and conditions thereof.

(b) Without limitation of the foregoing or of any other provisions of law or of Parts 370 to 399, inclusive, of this chapter, it shall be unlawful without prior written approval of the Office of International Trade with respect to any exportation under any outstanding export control document:

(1) For the licensee to effect, or to attempt to effect, any transfer of, or other change of ownership in, such document whether by sale, gift, loan or otherwise, to any other person, or to permit any other person to use the same otherwise than for the true account of and as true agent in fact for the licensee; or for any person not the licensee to receive or accept a transfer or other change of ownership of, or otherwise to use, an export control document, or to attempt the same, except for the true account of and as true agent in fact for the licensee.

(2) To effect, or to attempt to effect, any change of, substitution for, or addition to, the parties named in an export control document, or any transfer, receipt or purchase, or creation of any interest or participation whatsoever in the transaction described in any export control document.

(3) To offer or solicit by written advertisement or circular any transfer of an export control document or any interest therein hereinabove declared unlawful. An advertisement or circular shall be deemed unlawful:

(i) Even though coupled with a condition requiring approval by the Office of International Trade of a new consignor or consignee or other change in the export license, by way of transfer, amendment or otherwise;

(ii) Where, offering or soliciting the sale for exportation of any commodities the advertisement indicates that the proposed seller of such commodities holds or will furnish a license or other export control document for the exportation of such commodities;

(iii) Where, offering or soliciting the purchase for exportation of any commodities, such advertisement is addressed by the proposed buyer directly or indirectly to any person on the condition that such person as a seller then holds or will furnish a license or other export control document for the exportation of such commodities.

(4) For the licensee to permit any other person to facilitate or effect the exportation of any commodity described in the license, except under the direction and responsibility of or as the true agent in fact for the licensee, regardless of the terms of sale or exportation or other contractual agreement between the licensee and the purchaser or ultimate consignee of such commodity.

(Sec. 6, 54 Stat. 714, 55 Stat. 206, 56 Stat. 463, 53 Stat. 671, 59 Stat. 270, 60 Stat.

215; Pub. Laws 145, 188, 395, 80th Cong., 50 U. S. C. App. 701, 702; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; E. O. 9919, Jan. 3, 1948, 13 F. R. 59)

This amendment shall become effective as of July 9, 1948.

Dated: July 15, 1948.

FRANCIS MCINTYRE,
Assistant Director

Office of International Trade.

Explanatory Statement (Accompanying Amendment 1)

The purpose of the foregoing regulations is to state in detail those practices which are prohibited in the use of export control documents and to clarify the liabilities for false representations.

A. *Use of documents.* This regulation emphasizes the fact that a license or authenticated shipper's export declaration or other export control document is not a subject for trafficking and that, except as specifically authorized by the Office of International Trade, no interest therein can be lawfully transferred or created. Particular attention is called to the fact that this regulation prohibits advertising of any nature whatever of offers or solicitations which might involve transfer of export control documents. Where a licensed transaction has failed of accomplishment, the license cannot without special authorization be used for any other transaction. Amendments of consignors and consignees will be permitted only under the strict provisions of the regulations.

The regulation makes it unlawful for a licensee or other person holding an export control document to sell, or for any person to purchase, the commodities described in such document with the understanding that the document may be used by or for the benefit of the purchaser to effect exportation of the said commodities; for any person to effect exportation thereof for the benefit or for "account" of any person other than the licensee, regardless of the device or fiction employed; or for the licensee fictitiously to act as principal or agent of another person who actually is effecting the exportation, or for such other person fictitiously to act as the licensee's principal or agent for the same purpose or for the named consignee to act "for the account" of a new unlicensed consignee.

The regulation will not be construed to affect the transfer and other use of dock receipts, bills of lading or other commercial documents necessary to complete a transaction authorized by the export license or impair the validity of liens or other security titles or interests created in good faith with respect to commodities or documents in the course of financing, warehousing, forwarding or transporting commodities. However, where the foreclosure of any lien or other security title or interest or the exercise of any rights by the holder of the lien or other security title or interest contemplates an exportation under the license, by someone other than the licensee or to someone other than the purchaser or ultimate consignee designated in the license, the holder of the lien or other security title or interest must apply for an amendment or for

a new license as a new party in accordance with the regulation on amendments.

B. Parties. The policies of export control require the fullest disclosure by the applicant of all parties in interest in order that decisions on applications may be made with the fullest knowledge of all relevant facts that the identity and whereabouts of the persons who know most about the transaction may be easily ascertained in the event of inquiry.

There must be shown in applications for licenses all parties who are concerned in the proposed exportation, participating on their own account—the licensee as exporter, the purchaser or ultimate consignee as the person in the country of ultimate destination who is to receive the exportation for his own account, and the intermediate consignee as the person who receives the commodities or documents for delivery to the purchaser or ultimate consignee. The true parties in interest as known to the applicant must be disclosed. It is realized that there may be cases in which more than one person in a transaction may fairly be described as being a principal. However, in such cases, the application should be accompanied by a statement giving the names and addresses of such other persons and their roles in the transaction in question. Where there is any doubt as to which of several persons should be named as the party to the license, the applicant should disclose the names of all and the functions to be performed by each. For this purpose, a separate statement attached to the application will be acceptable.

1. *Applicant; licensee.* The applicant for a license should be that person who, as the principal party in interest in the transaction of exportation, has the power and responsibility to determine and control the sending of the goods out of the country and is thus in reality the exporter. For this purpose, it is the identity of the applicant, and his role in the transaction, and not the terms of sale, in which the Office of International Trade is primarily concerned. If, in a given transaction, he has the responsibility for effecting exportation, such person is a proper applicant; if, on the other hand, he does not assume such responsibility he is not a proper applicant.

Any person obtaining a license thereby assumes responsibility for actually effecting the exportation, for proper use of the license, and for due performance of all of its terms and conditions. Ordinarily, therefore, a seller who delivers commodities in this country to a foreign buyer or to the latter's forwarder or other agent would not be in a position to assume such responsibility and so would not be a proper applicant. This would normally be the situation where the sale is made f. o. b. factory although it is recognized that such terms of sale may relate only to price and are not necessarily inconsistent with the assumption by the seller of full responsibility for effecting the exportation. If the seller intends to leave the responsibility for effecting exportation in the hands of the foreign importer or the latter's forwarding or purchasing agent in the United States he should not apply for the license or appear as exporter, but, in such case,

the forwarding or purchasing agent should appear as applicant and exporter unless the foreign importer himself is subject to the jurisdiction of the United States at the time of exportation, in which case the latter should apply for the license in his own name. If any forwarding or purchasing agent applies for a license he must disclose the name of his principal.

Insofar as legal liability for any violation of the export control law and regulations is concerned, every person who in any capacity participates in fact in an exportation knowing it to be unauthorized may be held to account, whether or not he appears as the formal applicant for the export license. In any given transaction, for example, whoever, whether acting as principal (seller or buyer) or as agent for the seller or buyer, such as a freight forwarder, purchasing agent for a foreign buyer, broker, or any employee of such persons, knowingly facilitates an unlawful exportation, may be held accountable as though he were the exporter.

2. *Purchaser or ultimate consignee.* The person named as purchaser or ultimate consignee should be the person abroad who is the true party in interest in receiving the exportation. Where the transaction of exportation involves a sale by the exporter in the United States and a purchase by the foreign importer, this latter person will be the true purchaser abroad whose name should appear on the application. Where the transaction of exportation involves a delivery under a consignment sale to a person abroad, or a delivery to a purchaser abroad under a sale and transfer of title already effected within the United States prior to exportation, or where a supplier in the United States maintaining a distribution organization abroad for sales abroad consigns to a distributor abroad for disposal within the country of ultimate destination named in the license, such person abroad should be designated the purchaser or ultimate consignee. A bank, freight forwarder, forwarding agent, or other intermediary is not acceptable as such purchaser or ultimate consignee but should be disclosed as an intermediate consignee.

3. *Intermediate consignee.* The intermediate consignee (indicated in Form IT-419 as "Consignee") may be a bank, forwarding agent or other intermediary who participates as an agent for the exporter or for the purchaser or ultimate consignee for the purpose of effecting delivery of the commodity to the purchaser or ultimate consignee.

[F. R. Doc. 48-6436; Filed, July 16, 1948; 8:59 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5120]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

STAFFIN JOHNS CO. ET AL.

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Size and*

extent: § 3.6 (1) *Advertising falsely or misleadingly—Indorsements, approval and testimonials:* § 3.6 (m 10) *Advertising falsely or misleadingly—Manufacture or preparation.* § 3.6 (dd 10) *Advertising falsely or misleadingly—Success, use or standing:* § 3.18 *Claiming indorsements or testimonials falsely or misleadingly:* § 3.66 (c) *Misbranding or mislabeling—Indorsements, approval or awards:* § 3.66 (c 17) *Misbranding or mislabeling—Location and size:* § 3.66 (c 20) *Misbranding or mislabeling—Manufacture or preparation.* § 3.66 (k 1) *Misbranding or mislabeling—Success, use or standing.* In connection with the offering for sale, sale or distribution of baby crib mattresses in commerce, (1) representing, directly or by implication, that respondents are the world's largest manufacturers of baby bedding; (2) misrepresenting in any manner respondents' size or production capacity either in relation to other manufacturers of baby bedding or otherwise; or (3) representing, directly or by implication, that respondents' mattresses are recommended or prescribed by doctors or physicians, or representing that such products are manufactured under the supervision of medical experts; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, The Staffin Johns Company et al., Docket 5120, May 12, 1948]

At a regular session of the Federal Trade Commission held at its office in the city of Washington, D. C., on the 12th day of May A. D. 1948.

In the Matter of Max I. Staffin, Milton J. Spitzer and David Staffin, Individually and Trading as The Staffin Johns Company, a Co-partnership, and Cum-A-Part Mattress Company, Inc., a Corporation, and Louis Staffin, Harry Staffin, Minnie Staffin, and Abraham Staffin, Individually and as Officers and Directors of Cum-A-Part Mattress Company, Inc.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, respondents' answers thereto, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before a trial examiner of the Commission theretofore duly designated by it, the trial examiner's recommended decision, and brief in support of the complaint (no brief having been filed on behalf of respondents and oral argument not having been requested) and the Commission having made its findings as to the facts and its conclusion that the respondents named below have violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondents Max I. Staffin, Milton J. Spitzer and David Staffin, individually and as co-partners trading as The Staffin Johns Company or trading under any other name, and their agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of baby crib mattresses in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication, that respondents are the world's largest manufacturers of baby bedding.

2. Misrepresenting in any manner respondents' size or production capacity either in relation to other manufacturers of baby bedding or otherwise.

3. Representing, directly or by implication, that respondents' mattresses are recommended or prescribed by doctors or physicians, or representing that such products are manufactured under the supervision of medical experts.

For reasons appearing in the findings as to the facts, *It is further ordered*, That the complaint herein be, and it hereby is, dismissed as to the respondents Cum-A-Part Mattress Company, Inc., and Louis Staffin, Harry Staffin, Minnie Staffin and Abraham Staffin, individually and as officers and directors of Cum-A-Part Mattress Company Inc.

It is further ordered, That respondents Max I. Staffin, Milton J. Spitzer and David Staffin, individually and as co-partners trading as The Staffin Johns Company, shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 48-6384; Filed, July 16, 1948;
8:49 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter IV—Secret Service, Department of the Treasury

PART 403—AUTHORIZATION OF ALL BANKS AND UNITED STATES POST OFFICES TO DELIVER TO THE TREASURY DEPARTMENT COUNTERFEIT OBLIGATIONS AND OTHER SECURITIES AND COINS OF THE UNITED STATES OR OF ANY FOREIGN GOVERNMENT

DELIVERY OF COUNTERFEIT OBLIGATIONS AND OTHER SECURITIES AND COINS AUTHORIZED

1. The headnote of Part 403 is amended to read as set forth above.

2. Section 403.2 is amended to read as follows:

§ 403.2 *Delivery of counterfeit obligations and other securities and coins authorized.* Authority is hereby given to all banks and banking institutions of any nature whatsoever organized under general or special Federal or State statutes, and to all United States Post Offices, to take possession of and deliver to the Treasury Department through the Secret Service Division all counterfeit obligations and other securities and coins of the United States or any foreign government, within the meaning of the statutes cited in § 403.1, which shall be presented at their places of business.

(Sec. 4, 26 Stat. 742, sec. 172, 35 Stat. 1121, sec. 4, 52 Stat. 7; 18 U. S. C. 286)

[SEAL] THOMAS J. LYNCH,
Acting Secretary of the Treasury.

[F. R. Doc. 48-6386; Filed, July 16, 1948;
8:49 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Office of International Trade, Department of Commerce

TRANSFER OF EXPORT REGULATIONS

CROSS REFERENCE: For transfer of export control authority from this chapter, see Third General Revision of Export Regulations, Title 15, Chapter VIII, Parts 370 to 399, inclusive, *supra*.

Chapter XXIV—Department of State, Disposal of Surplus Property

[Departmental Reg. 103.72; FLC Reg. 8, Order 6]

PART 8508—DISPOSAL OF SURPLUS PROPERTY LOCATED IN FOREIGN AREAS

IMPORTATION INTO UNITED STATES

JULY 12, 1948.

Foreign Liquidation Commissioner Regulation 8, Order 6, of April 27, 1948, (Departmental Regulation 103.68, 13 F. R. 2262) is hereby revised and amended to read as herein set forth.

The President has informed the Secretary of State that certain materials which have been or may be declared to the Foreign Liquidation Commissioner as surplus property located in foreign areas are in critically short supply and urgently needed for reconversion in the United States, and he has requested the Secretary of State to take such action as may be necessary and appropriate to permit until December 31, 1948 the importation of such materials into the United States.

It is hereby ordered, That § 8508.15 of FLC Regulation 8 shall not apply to prevent the importation of surplus property specified in Schedule A attached hereto as the same now stands or may hereafter be amended or supplemented if those items are in transit to a point in the United States on or before December 31, 1948. For the purpose of this order "in transit to a point in the United States" shall mean the property involved has been delivered to or accepted by a carrier which has issued a through bill of lading thereon to a point in the United States.

(58 Stat. 765, 59 Stat. 533, 60 Stat. 168, 754; 50 U. S. C. App. 1611-46)

This order shall become effective when published in the FEDERAL REGISTER.

Approved: July 12, 1948.

[SEAL] G. C. MARSHALL,
Secretary of State.

SCHEDULE A

Graders: road; motorized: all sizes.

Tractors: crawler types: all classes and sizes, with or without bulldozer, angledozer, front end loader and power control units or winches (not more than one piece of mounted equipment per tractor).

Power excavators: Whether crawler (track-laying) or walker mounted: of 1½ cu. yds. or greater bucket or dipper capacity: equipped with either shovel, dragline or crane front-end attachments (not more than one extra front-end attachment with each excavator).

Repair or service parts for graders: road; motorized: all sizes.

Repair or service parts for tractors: crawler types: all classes and sizes.

Spare parts for power excavators of 1½ cu. yds. or greater capacity.

Truck chassis: 6 x 6, all wheel drive, 4 tons and up: with or without front mounted winch: all body types, including wrecking equipment, not more than one boom per truck.

Steel mill products: carbon steel.

Containers: steel; shipping barrels, drums and pails.

Cylinders: compressed gas.

Telephone and telegraph equipment, including but not limited to lead covered cable; lime, messenger and drop wire; pole line hardware; outside plant communication equipment; central office equipment, including switchboard positions; and miscellaneous telephone apparatus.

Burlap: bags and strips.

[F. R. Doc. 48-6382; Filed, July 16, 1948;
8:47 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter I—National Park Service

PART 21—HOT SPRINGS NATIONAL PARK; BATHHOUSE REGULATIONS

PART 28—LABOR STANDARDS APPLICABLE TO EMPLOYEES OF NATIONAL PARK SERVICE CONCESSIONERS

On August 15, 1947, notice of proposed rule making was published in the FEDERAL REGISTER (12 F. R. 5520-5521) concerning a proposal to amend Part 28 of the rules and regulations of the National Park Service relating to the conditions of employment of National Park Service concessioners' employees, and, at the time of the amendment thereof, to repeal §§ 21.104 to 21.109, inclusive, Part 21, Chapter I, Title 36, of the Code of Federal Regulations. Pursuant to the notice, a hearing was held on September 16 and 17, 1947, at San Francisco, California, and written statements were received. After due consideration, the proposed regulations have been revised. Therefore, the following action is taken under the authority contained in section 3 of the act of August 25, 1916, as amended (39 Stat. 535, 16 U. S. C. 3) section 3 of the act of March 3, 1891, as amended (26 Stat. 843, 16 U. S. C. 363).

Sections 21.104 to 21.109, inclusive, Part 21, Chapter I, Title 36, Code of Federal Regulations, are revoked.

The regulations in Part 28, Chapter I, Title 36, Code of Federal Regulations, are amended to read as follows:

Sec.

- 28.1 Definitions.
- 28.2 Basis and purpose.
- 28.3 Applicability.
- 28.4 Child labor.
- 28.5 Wages and overtime compensation.
- 28.6 State labor laws.
- 28.7 Access for investigators.
- 28.8 Complaints.
- 28.9 Record keeping.
- 28.10 Filing of labor agreements.
- 28.11 Posting of regulations.

AUTHORITY: §§ 28.1 to 28.11, inclusive, issued under sec. 3, 39 Stat. 535, as amended, sec. 3, 26 Stat. 843, as amended; 16 U. S. C. 3, 363.

§ 28.1 *Definitions.* As used in this part:

(a) "Secretary" means the Secretary of the Interior, the Under Secretary, an Assistant Secretary, or such other officer

or employee of the Department of the Interior as the Secretary may designate.

(b) "Director" means the Director of the National Park Service.

(c) "Superintendent" includes a custodian, caretaker, manager, or other person in charge of a national park.

(d) "National park" includes a national monument or other area under the administrative jurisdiction of the National Park Service of the Department of the Interior.

(e) "Concessioner" includes any individual, partnership, corporation, or other business entity engaged in operating facilities within or without a national park for the accommodation of visitors to the park under a contract with or permit from the Secretary or the Director.

(f) "Employee" includes any individual employed by a concessioner in connection with operations covered by a contract with or permit from the Secretary or the Director.

(g) "Executive or department head" includes any employee whose primary duty is the management of the business of the concessioner, or a customarily recognized department thereof, and who customarily and regularly directs the work of other employees with authority to employ and discharge other employees, or whose suggestions and recommendations as to the employment, discharge, advancement, or promotion of such employees will be given particular weight by the concessioner, and who customarily and regularly exercises discretionary powers.

(h) "State" means any State, Territory, possession, or the District of Columbia.

§ 28.2 *Basis and purpose.* The public using the national parks is better served when the employees of the concessioners enjoy the benefits of fair labor standards and when, in this respect, they are treated at least as well as those employed in similar occupations outside such areas, but within the same State. This principle is the basis of the regulations in this part and their purpose is its implementation.

§ 28.3 *Applicability.* This part shall not apply to:

(a) Concessioners providing and operating medical services.

(b) Personal servants.

(c) Employees engaged in agricultural activities, including the care, handling, and feeding of livestock.

(d) Detectives, watchmen, guards, and caretakers.

(e) Bona fide executives or department heads.

(f) Solicitors or outside salesmen whose compensation is chiefly on a commission basis.

(g) Professional sports instructors and entertainers.

§ 28.4 *Child labor.* No person under 16 years of age may be employed by a concessioner in any occupation. No person under 18 years of age may be employed for more than 8 hours a day, 6 days a week or between the hours of 10 p. m. and 6 a. m. No person under 18 years of age may be employed in any occupation in which the employment of

such a minor is prohibited by the laws of the United States or of the State in which he is employed, even though, but for the provisions of this section, compliance with such laws would not be compulsory. For the purpose of proving age under this regulation a State employment or age certificate or the corresponding Federal certificate of age shall be accepted as conclusive proof of the minor's age.

§ 28.5 *Wages and overtime compensation.* (a) No employee shall be paid less than 40 cents an hour.

(b) No less than one and one-half times the regular rate of pay at which the employee is employed shall be paid for all hours worked in excess of 40 per week. This paragraph shall not, however, apply to employees of motor bus carriers with respect to whom the Interstate Commerce Commission has established maximum hours regulations, pursuant to section 204 of the Motor Carriers Act of 1935, as amended (49 U. S. C. sec. 304)

(c) Charges for board or lodging furnished by a concessioner to his employees may not exceed the reasonable cost thereof. Charges may not be made for tools, equipment, uniforms, or other articles or services primarily provided for the benefit of the concessioner.

§ 28.6 *State labor laws.* Concessioners shall comply with the standards established, from time to time, by or pursuant to the labor laws of the State of employment, such as those concerning minimum wages, child labor, hours of work, and safety, which would apply to the employees of the concessioner if his establishment were not located in a national park. If the standards so established are lower than those established by §§ 28.4 and 28.5, concessioners shall comply with the latter sections.

§ 28.7 *Access for investigators.* Concessioners shall permit representatives of this Department and, when appropriate and authorized, representatives of other Federal or State agencies, access to any of their places of employment for the purpose of examining pay rolls and other records and otherwise to ascertain the facts with respect to compliance with these regulations and State labor laws. The report of any investigation concerning a violation of the regulations in this part shall be submitted to the superintendent of the national park involved.

§ 28.8 *Complaints.* Any question pertaining to the interpretation or application of or compliance with this part which cannot be satisfactorily settled between a concessioner and his employee, employees, or employee representative may be referred to the Director for review by either one or both of the parties concerned. Any party adversely affected by the decision of the Director may request the Secretary to consider the issues involved. The Secretary shall thereupon take such action as he deems appropriate.

§ 28.9 *Record keeping.* Concessioners shall for a period of 3 years keep records of the name, age, address, and occupation of each of their employees, the rate

of pay and the amount paid to each employee each pay day, the hours worked each day and each work week by each employee and such other information concerning employees as the Director may require.

§ 28.10 *Filing of labor agreements.* Within 60 days after the effective date of the regulations in this part concessioners shall file with the Director of the National Park Service a copy of each labor agreement in effect on the effective date of these regulations, covering rates of pay, hours of work, and conditions of employment duly negotiated with their employees as a whole or by class, craft, or other appropriate unit. Thereafter, on July 1 of each year concessioners shall file copies of all such agreements then in effect with the Director of the National Park Service.

§ 28.11 *Posting of regulations.* Concessioners shall post in a conspicuous place easily accessible to all employees copies of the regulations in this part in such form as the Director may approve.

Effective date. The regulations in this part shall be effective on the 31st day after their publication in the FEDERAL REGISTER.

Issued this 12th day of July 1948.

MASTIN G. WHITE,
Acting Secretary of the Interior

[F. R. Doc. 48-6419; Filed, July 15, 1948;
8:59 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 127—INTERNATIONAL POSTAL SERVICE:
POSTAGE RATES, SERVICE AVAILABLE, AND
INSTRUCTIONS FOR MAILING

EMBARGO ON EXPORT OF GOLD AND GOLD CERTIFICATES

In Part 127, Title 39, of the Code of Federal Regulations (13 F. R. 892) make the following change:

Amend § 127.22 *Embargoes on gold and gold certificates*, to read as follows:

§ 127.22 *Embargoes on gold and gold certificates.* (a) Except as indicated in paragraph (b) of this section with respect to fabricated gold, the following shall not be accepted for mailing unless the exportation thereof has been licensed by the Treasury Department or an agency thereof and the postmaster at the place where offered for mailing has received specific instructions from the Deputy Second Assistant Postmaster General, International Postal Service, Washington 25, D. C., regarding the procedure to be followed in accepting the gold or gold certificates for mailing:

(1) When offered for mailing from the continental United States (that is, the states of the United States, the District of Columbia, and the Territory of Alaska)

Gold certificates or gold in any form.

(2) When offered for mailing from a place outside the continental United States but which is subject to the jurisdiction of the United States:

Gold certificates or United States gold coin;

Gold in any other form than United States gold coin, if such gold is held or owned by a person who is a resident of, or who is domiciled in, the continental United States.

(b) Fabricated gold, as defined in paragraph (c) of this section, may be accepted for mailing without being licensed by the Treasury Department and without specific instructions from the Deputy Second Assistant Postmaster General, International Postal Service. However, before such fabricated gold is accepted for mailing postmasters must satisfy themselves that the fabricated gold is not being mailed for the purpose of holding or disposing of such article primarily for its gold content. If satisfied of this fact the postmaster shall require the sender to endorse the wrapper of the package with the words "Fabricated Gold."

(c) Fabricated gold is defined by the Treasury Department as being gold which has in good faith and not for the purpose of evading, or enabling others to evade, the provisions of the Gold Reserve Act or of the regulations of the Treasury Department, been processed or manufactured for some one or more specific and customary industrial, professional, or artistic uses: *Provided*, That not more than eighty per cent of the total domestic value of the processed or manufactured gold is attributable to the gold content thereof; but the term fabricated gold does not include gold coin or scrap gold. (Fabricated gold is to be distinguished from semi-processed gold. The latter may be exported only pursuant to Treasury license. As noted above, fabricated gold includes only gold articles of which not more than eighty per cent of the total value is attributable to the gold content thereof; semi-processed gold is defined to include only gold articles of which more than eighty per cent of the total value is attributable to the gold content thereof.)

(d) The acceptance in the regular mails or parcel post for any foreign country of any consignment of gold coin, gold bullion, or gold dust, having a value in excess of \$100.00 is prohibited.

(e) Prospective senders may obtain the forms on which to apply for licenses to export gold from the Bureau of the Mints, Treasury Department, Washington 25, D. C. (R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 48-6374; Filed, July 16, 1948;
8:46 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 9—AERONAUTICAL SERVICES

FREQUENCIES AVAILABLE AND SERVICE TO BE RENDERED

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 14th day of July 1948;

The Commission having under consideration §§ 9.411 (d) and 9.412 of the rules governing Aeronautical Services, which sections require the installation of transmitting and receiving equipment capable of operating on 121.5 Mc. by July 1, 1948, and the maintenance of a continuous listening watch thereon after said date; and

It appearing, that the installation of VHF equipment at all airdromes, private and government, cannot be completed within the July 1, 1948 limitation presently set forth in § 9.411 (d) and, therefore, a continuous listening watch on 121.5 Mc as required by § 9.412 of the Commission's rules and regulations would be impracticable; and

It further appearing, that under the circumstances it will serve the public interest and convenience to waive temporarily those provisions of §§ 9.411 (d) and 9.412 which require the installation of transmitting and receiving equipment capable of operating on 121.5 Mc by July 1, 1948 and the maintenance of a con-

tinuous listening watch thereon, after said date; and

It further appearing, that since the effect of the proposed amendment is to extend an existing exemption by extending the time within which licensees must comply with the terms of said section, and since any amendment must be accomplished by July 1, 1948, General Notice of Proposed Rule Making as required by section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest; and

It further appearing, that authority for the proposed amendment is contained in sections 303 (b) and (r) of the Communications Act of 1934, as amended

It is ordered, That §§ 9.411 (d) and 9.412 be amended to read as follows:

§ 9.411 *Frequencies available.* * *

(d) 121.5 megacycles. This frequency is a universal simplex channel for emergency and distress communications.

§ 9.412 *Service to be rendered.* (a) Communications of an airdrome control station shall be limited to the necessities of safe and expeditious operation of aircraft using the airdrome facilities or operating within the airdrome control area and in all cases such stations shall be in a position to render, and shall render, all necessary airdrome control service.

(b) The licensee of an airdrome control station shall without discrimination provide service for any and all aircraft. Such licensee shall maintain a continuous listening watch during its hours of operation on the aircraft calling and working frequencies 3105 kilocycles; and on 122.5, 122.7 or 122.9 megacycles (initially watch on 122.5 only)

In view of the foregoing, It is further ordered, That the above amendments shall be effective immediately.

(Sec. 303 (b) 48 Stat. 1082, sec. 6 (b) 50 Stat. 191, 47 U. S. C. 303 (b) (r))

FEDERAL COMMUNICATIONS

COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-6441; Filed, July 16, 1948;
8:59 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

17 CFR, Part 511

UNITED STATES STANDARDS FOR CLEANED VIRGINIA TYPE PEANUTS IN THE SHELL

NOTICE OF RULE MAKING

Notice is hereby given under the authority contained in the Department of Agriculture Appropriation Act for 1949 (Pub. Law 712, 80th Cong., 2d Sess., approved June 19, 1948) that the United States Department of Agriculture is considering the issuance of United States Standards for Cleaned Virginia Type

Peanuts in the Shell. These standards will supersede the United States Standards for Cleaned (unshelled) Virginia Type Peanuts that have been in effect since November 1, 1935 and are proposed to become effective during September 1948.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed standards shall file the same with M. W. Baker, Assistant Director, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, South Building, Washington 25, D. C., not later than 5:30 p. m., e. s. t. on the 20th day after the publication of this notice in the FEDERAL REGISTER.

The proposed standards are as follows:

* 51.323 *Cleaned Virginia type peanuts in the shell—(a) Grades.* (1) U. S. Jumbo Hand Picked shall consist of cleaned Virginia type peanuts in the shell which are mature, dry, and free from loose peanut kernels, dirt or other foreign material, pops, paper ends, and from damage caused by cracked or broken shells, discoloration or other means. The kernels shall be free from damage from any cause. In addition, the peanuts shall not pass through a screen having 37/64 x 3 inch perforations. Unless otherwise specified, the unshelled peanuts in any lot shall not average more than 176 count per pound.

(i) In order to allow for variations incident to proper grading and handling, the following tolerances, by weight, shall be permitted:

(a) 10.0 percent total for pops, peanuts having paper ends or damaged shells, loose undamaged peanut kernels, and dirt or other foreign material, but not more than one-twentieth of this amount, or 0.5 percent, shall be allowed for dirt or other foreign material.

(b) 5.0 percent for peanuts which will pass through the prescribed screen, but which are free from pops and from peanuts having paper ends or damaged shells.

(c) 3.5 percent for peanuts with damaged kernels, and damaged loose kernels.

(2) U. S. Fancy Hand Picked shall consist of cleaned Virginia type peanuts in the shell which are mature, dry, and free from loose peanut kernels, dirt or other foreign material, pops, paper ends, and from damage caused by cracked or broken shells, discoloration or other means. The kernels shall be free from damage from any cause. In addition, the peanuts shall not pass through a screen having $\frac{3}{4}$ x 3 inch perforations. Unless otherwise specified, the unshelled peanuts in any lot shall not average more than 225 count per pound.

(i) In order to allow for variations incident to proper grading and handling, the following tolerances, by weight, shall be permitted:

(a) 11.0 percent total for pops, peanuts having paper ends or damaged shells, loose undamaged peanut kernels, and dirt or other foreign material, but not more than one-twentysecond of this amount, or 0.5 percent, shall be allowed for dirt or other foreign material.

(b) 5.0 percent for peanuts which will pass through the prescribed screen, but which are free from pops and from peanuts having paper ends or damaged shells.

(c) 4.5 percent for peanuts with damaged kernels, and damaged loose kernels.

(b) *Unclassified*. Unclassified shall consist of cleaned Virginia type peanuts in the shell which fail to meet the requirements of either of the foregoing grades. The term "unclassified" is not a grade within the meaning of these standards but is provided as a designation to show that no definite grade has been applied to the lot.

(c) *Definitions*. (1) "Mature" means that the shells are firm and well developed.

(2) "Pops" means fully developed shells which contain practically no kernels.

(3) "Paper ends" means peanuts which have very soft and/or very thin ends.

(4) "Damage" means any injury or defect which materially affects the appearance, edible or shipping quality of the individual peanut or the lot as a whole. The following shall be considered as damage:

(i) Cracked or broken shells which have been broken to the extent that the kernel within is plainly visible without minute examination and with no application of pressure, or the appearance of the individual peanut is materially affected.

(ii) Discolored shells which have dark discoloration caused by mildew staining or other means affecting one-half or more of the shell surface. Talc powder or other similar material which may have been applied to the shells during the cleaning process shall not be removed to determine the amount of discoloration beneath, but the peanut shall be judged as it appears with the talc.

(iii) Kernels which are rancid or decayed.

(iv) Moldy kernels.

(v) Kernels showing sprouts extending more than one-eighth inch from the end of the kernel.

(vi) Distinctly dirty kernels.

(vii) Kernels which are wormy or have worm frass adhering, or have worm cuts which are more than superficial.

(viii) Kernels which have dark yellow color penetrating the flesh, or yellow pitting extending deep into the kernel.

(5) "Count per pound" means the number of peanuts in a pound. When determining the count per pound, one single kernel peanut shall be counted as one-half peanut.

Done at Washington, D. C., the 13th day of July 1948.

[SEAL] S. R. NEWELL,
*Acting Assistant Administrator
Production and Marketing Administration.*

[F. R. Doc. 48-6379; Filed, July 16, 1948;
8:47 a. m.]

17 CFR, Part 511

UNITED STATES STANDARDS FOR ORANGES NOTICE OF PROPOSED RULE MAKING *Correction*

In Federal Register Document 48-6197, appearing at page 3939 of the issue for Tuesday, July 13, 1948, the following corrections should be made in § 51.192:

1. In paragraph (a) (2) the word "contained" should read "container" and the word "average" should read "averages"

2. In the sixth line of paragraph (b) the word "backskin" should read "buckskin"

3. In the fifth from the end line of paragraph (b) (7) the word "sprayburns" should read "sprayburn" and in the third from the end line the word "ricines" should read "riciness"

4. The headnote for subparagraph (4) of paragraph (d) should read "U. S. No. 1 Golden and U. S. No. 1 Bronze Grades."

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR, Part 31]

[Docket Nos. 8736, 8975]

TELEVISION ALLOCATION PROCEEDING SUPPLEMENTAL NOTICE OF PROPOSED RULE MAKING

1. Further notice is given of proposed rule making in the above-entitled matter.

2. On June 29, 1948, during the course of the hearing in the above-entitled matter it was brought to the Commission's attention that the allocation table set forth in its notice of proposed rule making

herein dated May 5, 1948, (13 F. R. 2629) contained several typographical errors. As a result of these errors, various channels proposed to be allocated to a number of areas were incorrectly designated. Since the correction of some of the errors may be considered by interested parties to have a substantive effect on the proposed allocations, the Commission desires to give such parties an opportunity to submit comments with respect to the proposed corrections.

3. The Commission proposes to amend § 3.606 by making the following corrections below to its notice of proposed rule making dated May 5, 1948:

(a) Belleville, Ill.. Channel No. 11 (c) should be deleted.

(b) Cherokee, Iowa. Channel No. 2 should be corrected to read 2 (c)

(c) Iowa City, Iowa: Channel No. 11 should be corrected to read 11 (c)

(d) Henderson, Ky.. Channel No. 4 should be corrected to read 4 (c)

(e) Owensboro, Ky.. Channel No. 9 should be corrected to read 8.

(f) Columbus, Miss.. Channel No. 9 (c) should be corrected to read 10 (c)

(g) Rocky Mount, N. C.. Channel No. 5 (c) should be corrected to read 3 (c)

(h) Portsmouth, Ohio: Channel No. 12 should be corrected to read 12 (c)

(i) Ponca City, Okla.. Channel No. 11 should be corrected to read 11 (c)

(j) Sioux Falls, S. Dak.. Channel No. 9 should be deleted.

4. Authority to make the above corrections is vested in the Commission by sections 301, 303 (c) (d) (r) and 307 (b) of the Communications Act of 1934, as amended.

5. Any interested person who desires to oppose or support the above proposals may do so by filing his written comments with the Commission on or before August 2, 1948. Comments opposing the Commission's proposals must be accompanied by supporting engineering affidavits. Other interested parties who desire to oppose any of the proposals set forth in the comments filed by August 2, 1948, may do so by filing their oppositions and supporting engineering affidavits on or before August 9, 1948. Proposals different from those proposed by the Commission must be filed no later than August 2, 1948. Any filed after that date will not be accepted and will be disregarded without further action by the Commission. Oppositions to proposals of interested persons will not be accepted if filed after August 9, 1948. Should it appear to the Commission from the duly filed comments or responses that a hearing should be held with respect to the proposed corrections, due notice of the time and place of such hearing will be given.

6. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs or comments filed shall be furnished the Commission.

Adopted: July 15, 1948.

Released. July 15, 1948.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-6442; Filed, July 16, 1948;
8:59 a. m.]

[47 CFR, Part 111]

[Docket No. 9018]

INDUSTRIAL RADIO SERVICE

SUPPLEMENTAL NOTICE OF PROPOSED RULE
MAKING

In the matter of promulgation of new Part 11 of the Commission's rules, rules governing Industrial Radio Service.

1. The Commission adopted the notice of proposed rule making, Docket No. 9018 in the above entitled matter on June 11, 1948.

2. It is proposed to make a minor modification in the assignable frequencies shown below, of the notice of proposed rule making of June 11, 1948, in the above entitled matter. These changes are shown in italics below and involve addition and changes of certain frequencies in proposed §§ 11.202 (a) 11.353 (b) and 11.354 (a)

3. The proposed rules are issued under the authority of sections 301 and 303 (a) (b) (c) (e) (f) (j) (n) and (r) of the Communications Act of 1934, as amended.

4. Any interested party who is of the opinion that the proposed rules should not be adopted, or should not be adopted in the manner set forth, may file with the Commission on or before August 12, 1948, a statement or brief setting forth his comments. At the same time persons favoring the rules as proposed may file statements in support thereof. The Commission will consider all such comments that are presented before taking action in the matter, and if any com-

ments are submitted which appear to warrant the holding of a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

5. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs, or comments filed shall be furnished the Commission.

Adopted: July 15, 1948.

FEDERAL COMMUNICATIONS
COMMISSION,[SEAL] T. J. SLOWIE,
Secretary.

§ 11.202 *Frequencies available for base and mobile stations.* (a) The following frequencies are available for assignment to base and mobile stations in the Power Radio Service only:

27.29 Mc	37.66 Mc	47.92 Mc	48.23 Mc
27.31 Mc	37.70 Mc	47.94 Mc	48.30 Mc
27.33 Mc	37.74 Mc	47.96 Mc	48.32 Mc
27.35 Mc	37.78 Mc	47.98 Mc	48.34 Mc
27.37 Mc	37.82 Mc	48.00 Mc	48.36 Mc
27.39 Mc	37.86 Mc	48.02 Mc	48.38 Mc
27.41 Mc	47.63 Mc	48.04 Mc	48.40 Mc
27.43 Mc	47.70 Mc	48.06 Mc	48.42 Mc
27.45 Mc	47.72 Mc	48.08 Mc	48.44 Mc
27.47 Mc	47.74 Mc	48.10 Mc	153.41 Mc
27.49 Mc	47.76 Mc	48.12 Mc	153.47 Mc
27.51 Mc	47.78 Mc	48.14 Mc	153.53 Mc
27.53 Mc	47.80 Mc	48.16 Mc	153.59 Mc
37.46 Mc	47.62 Mc	48.18 Mc	153.65 Mc
37.50 Mc	47.84 Mc	48.20 Mc	153.71 Mc
37.54 Mc	47.86 Mc	48.22 Mc	
37.58 Mc	47.88 Mc	48.24 Mc	
37.62 Mc	47.90 Mc	48.26 Mc	

§ 11.353 *Frequencies available for base and mobile stations.* * * *

(b) The following frequencies are available for assignment to base and mobile stations for all types of mobile service operation:

1692 kc	39.78 Mc	49.56 Mc	49.90 Mc
1623 kc	39.82 Mc	49.58 Mc	49.92 Mc
1652 kc	49.26 Mc	49.60 Mc	49.94 Mc
1676 kc	49.28 Mc	49.62 Mc	49.96 Mc
1700 kc	49.30 Mc	49.64 Mc	49.98 Mc
2232 kc	49.32 Mc	49.66 Mc	153.99 Mc
4637.5 kc	49.34 Mc	49.68 Mc	153.05 Mc
29.71 Mc	49.36 Mc	49.70 Mc	153.11 Mc
29.73 Mc	49.38 Mc	49.72 Mc	153.17 Mc
29.75 Mc	49.40 Mc	49.74 Mc	153.23 Mc
29.77 Mc	49.42 Mc	49.76 Mc	153.29 Mc
29.79 Mc	49.44 Mc	49.78 Mc	153.35 Mc
39.59 Mc	49.46 Mc	49.80 Mc	154.49 Mc
39.62 Mc	49.48 Mc	49.82 Mc	154.57 Mc
39.65 Mc	49.50 Mc	49.84 Mc	153.25 Mc
39.70 Mc	49.62 Mc	49.86 Mc	153.31 Mc
39.74 Mc	49.64 Mc	49.88 Mc	

§ 11.354 *Frequencies available for fixed stations.* (a) Subject to the showing required by § 11.355 or 11.356, the following frequencies are available for assignment to fixed stations in the Special Industrial Radio Service on a shared basis with other fixed stations in the Industrial Radio Services:

1692 kc	* 29.71 Mc
1623 kc	* 29.73 Mc
1652 kc	* 29.75 Mc
1676 kc	* 29.77 Mc
1700 kc	* 29.79 Mc
2232 kc	
4637.5 kc	

[F R. Doc. 48-6447; Filed, July 16, 1948; 9:00 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

UTAH

REVOCATION OF DEPARTMENTAL ORDER OF
SEPTEMBER 26, 1933, AS MODIFIED

Pursuant to section 2 of the act of March 11, 1948 (Public Law 440, 80th Congress, 2d Sess.) the Departmental order of September 26, 1933, temporarily withdrawing the following-described lands as a grazing reserve for the Uncompahgre Ute Indians and white stockmen, under authority of section 4 of the act of March 3, 1927 (44 Stat. 1347) and the order of August 24, 1945, modifying said order of September 26, 1933 to permit the issuance of oil and gas leases on certain lands, are hereby revoked:

Beginning at the southeast corner of township 6 south, range 25 east, Salt Lake meridian; thence west to the southwest corner of township 6 south, range 24 east; thence north along the range line to the northwest corner of said township 6 south, range 24 east; thence west along the first standard parallel south of the Salt Lake base line to a point where said standard parallel will, when extended, intersect the eastern boundary of the Uintah Indian Reservation as established by C. L. Du Bois, United States deputy surveyor, under his contract dated August 30, 1875; thence along said boundary southeasterly to the Green River; thence

down the west bank of Green River to the point where the southern boundary of the said Uintah Reservation as surveyed by Du Bois, intersects said river; thence northwesterly with the southern boundary of said reservation to the point where the line between ranges 16 and 17 east of Salt Lake meridian will, when surveyed, intersect said southern boundary; thence south between said ranges 16 and 17 east, Salt Lake meridian, to the third standard parallel south; thence east along said third standard parallel to the eastern boundary of Utah Territory; thence north along said boundary to a point due east of the place of beginning; thence due west to the place of beginning.

The act of March 11, 1948, extended the exterior boundaries of the Uintah and Curay Reservation in Grand and Uintah Counties, State of Utah, to include certain lands within the above described area. Effective upon the signing of this order, the remaining lands, described as follows, shall be administered for grazing purposes under applicable laws:

SALT LAKE MERIDIAN

Tps. 8 to 11 S., R. 17 E.

Tps. 12 to 15 S., R. 17 E., partly unsurveyed, those parts north and west of the Green River.

Tps. 8 to 11 S., R. 18 E., partly unsurveyed, Tps. 12 and 13 S., R. 18 E., partly unsurveyed, that part north and west of Green River and east of a line as follows: Beginning at the intersection of the Green River and the boundary of Carbon County which is

the north boundary of T. 12 S., thence southerly along Green River to a point 2 1/4 miles N. 80° W., from the southwest corner of section 7.

T. 12 S., R. 19 E., thence southwesterly along the east rim of Main Tabyago Canyon approximately three and one-half miles; thence south five-eighths of a mile to the rim of the ridge; thence southwesterly across West Tabyago Canyon approximately one-half mile to the ridge; thence southwesterly along the north rim of the ridge approximately two and one-fourth miles to Rock House Canyon; thence southwesterly across Rock House Canyon approximately three-fourths of a mile to the top of knoll in Rock House Canyon; thence southeasterly along the south rim of Rock House Canyon approximately two and three-fourths miles to a point approximately one mile north of Gray Knoll; thence south one-half mile across bench to north rim of Big Canyon; thence southeasterly along the north rim of Big Canyon approximately two miles to the head of draw approximately one mile east of Gray Knoll; thence southeasterly one-fourth of a mile across bench to north rim of Big Canyon Flat; thence southeasterly along north rim of Big Canyon Flat approximately three and one-fourth miles; thence east approximately one-fourth of a mile across

* Use of these frequencies by fixed stations is subject to the condition that harmful interference will not be caused to services operating in accordance with the table of frequency allocations.

bench to the north rim of Big Canyon Flat; thence southeasterly along the north rim of Big Canyon Flat approximately one mile; thence east approximately one-fourth of a mile across bench to north rim of Big Canyon Flat; thence southeasterly along the north rim of Big Canyon Flat approximately two and one-half miles; thence east approximately one-fourth of a mile across bench; thence southeasterly along the north rim of Big Canyon Flat approximately one and three-fourths miles; thence east to northwest corner of section 31, township 13 south, range east, Salt Lake meridian;

Tps. 6, 7, 9 S., R. 19 E.,

Tps. 10 to 13 S., R. 19 E., those parts lying west of the following line,

Beginning at the NW corner sec. 31, T. 13 S., Thence east one mile; thence south one mile; thence east one mile to the southeast corner of section 32; thence east on section line to CCC road; thence northerly along said CCC road to the point where said road intersects rim of a mesa south of the north line of township 13 south, range 19 east, Salt Lake meridian; thence northeasterly along said rim to the northeast corner of section 26, T. 12 S., R. 19 E.; thence north one-fourth of a mile; thence east one-fourth of a mile; thence north one-fourth of a mile to the northwest corner of the northeast quarter southwest quarter, section 24; thence northerly along Hill Creek approximately one and one-fourth miles; thence west one-fourth of a mile; thence south one-fourth of a mile to the quarter corner between sections 13 and 14; thence west two miles to the quarter corner between sections 15 and 16; thence north along the section line one-half mile to the southeast corner of section 9 to the top of the ridge;

All the foregoing descriptions being in township 12 south, range 19 east, Salt Lake meridian; Thence northerly along the top of said ridge three and three-fourths miles to the center of section 28, township 11 south, range 19 east, Salt Lake meridian;

Thence northwesterly to the CCC road; thence northwesterly along said road to the top rim of Wild Horse Bench;

Thence northeasterly along the top rim of Wild Horse Bench to the southeast corner of section 21; thence north one mile; thence diagonally northeast to the southwest corner of section 1; thence northeasterly to the north quarter corner of said section 1; thence east one-half mile to the intersection of CCC road at the northeast corner of said section 1; thence northeasterly along road to its intersection on the east boundary of sec. 36, T. 10 S., R. 19 E.

Tps. 6 and 7 S., R. 20 E.

T. 8 S., R. 20 E., that part north and west of Green River including all secs. 1 and 2.

T. 9 S., R. 20 E.,

Secs. 25, 26, 35 and 36.

T. 10 S., R. 20 E.,

Secs. 1, 2, 11 to 14 inclusive, 23 to 26 inclusive, 35 and 36.

T. 11 S., R. 20 E.

Secs. 1, 2 and 3;

Sec. 4, E $\frac{1}{2}$, SE $\frac{1}{4}$, SW $\frac{1}{4}$.

Sec. 8, E $\frac{1}{2}$, SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$.

Sec. 9, S $\frac{1}{2}$, NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$.

Sec. 10 to 17 inclusive;

Sec. 20 to 23 inclusive;

Sec. 32 to 36 inclusive;

Secs. 19, 30 and 31, those parts east of the west rim of Big Pack Mountain.

T. 12 S., R. 20 E.,

T. 13 S., R. 20 E.,

Secs. 1 to 17 inclusive, 21 to 27, inclusive and 34 to 36 inclusive;

Secs. 18, 19, 20, 28, 29, those parts north and east of the north rim of East Squaw Canyon.

T. 14 S., R. 20 E.,

Secs. 1, 2, 3, 10 to 15 inclusive, 22;

Secs. 23, 24, 26, 27, 34, and 35, those parts north of the north rims of Flat Rock Mesa and Ute Canyon.

Tps. 6 and 7 S., R. 21 E.,

T. 8 S., R. 21 E.,

Secs. 1 to 6 inclusive.

T. 9 S., R. 21 E.,

Secs. 25 to 36 inclusive;

Tps. 10 to 13, R. 21 E.,

T. 14 S., R. 21 E.,

Secs. 1 to 17 inclusive;

Secs. 18, 19, 20, those parts north of the north rim of Ute Canyon;

Sec. 21, E $\frac{1}{2}$ and that part of the NW $\frac{1}{4}$ north of the north rim of Ute Canyon;

Secs. 22 to 27 inclusive;

Sec. 28, E $\frac{1}{2}$, SW $\frac{1}{4}$.

Secs. 33 to 36 inclusive.

T. 15 S., R. 21 E.,

Tps. 6 and 7 S., R. 22 E.,

T. 8 S., R. 22 E.,

Secs. 1 to 18 inclusive;

Secs. 20 to 27 inclusive;

Secs. 34, 35, 36.

T. 9 S., R. 22 E.,

Secs. 1 to 3 inclusive;

Secs. 10 to 15 inclusive;

Secs. 22 to 36 inclusive.

Tps. 10 to 15 S., R. 22 E.,

Tps. 6 to 15 S., R. 23 E.,

Tps. 7 to 15 S., Rgs. 24 and 25 E.,

Tps. 13 to 15 S., R. 26 E.,

approximately 580,000 acres.

The revocation of the modifying order of August 24, 1945, which permitted the issuance of oil and gas leases on certain lands, shall not be effective until 10:00 a. m. on September 2, 1948, as to such of the remaining lands as were affected by said order.

This order shall not otherwise become effective to change the status of such remaining lands until 10:00 a. m. on September 2, 1948. At that time the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from September 2, 1948 to December 2, 1948, inclusive, the surveyed public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a) as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283) subject to the requirements of applicable law and (2) application under any applicable public-land law based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2)

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from August 13, 1948, to September 1, 1948, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on September 2, 1948, shall be treated as simultaneously filed.

(c) *Date for non-preference-right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on December

3, 1948, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference-right filings.* Applications by the general public may be presented during the 20-day period from November 13, 1948, to December 2, 1948, inclusive, and all such applications, together with those presented at 10:00 a. m. on December 3, 1948, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in District Land Office, Salt Lake City Utah, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254) and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively of that title.

Inquiries concerning these lands shall be addressed to District Land Office, Salt Lake City, Utah.

The lands are rolling to rough, rocky, and mountainous in character.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior

JULY 1, 1948.

[F. R. Doc. 48-6372; Filed, July 16, 1948; 8:45 a. m.]

DEPARTMENT OF COMMERCE

Office of Industry Cooperation

WARM AIR HEATING EQUIPMENT FOR RESIDENTIAL HOUSING

VOLUNTARY PLAN FOR ALLOCATION OF STEEL PRODUCTS

The Secretary of Commerce, pursuant to the authority vested in him by Public Law 395, 80th Congress, and Executive Order 9919 (after consultation with representatives of the steel producing industry and manufacturers of warm air heating equipment for residential housing, and after expression of the views of industry, labor and the public generally at an open public hearing held on June 8, 1948) has determined that the following plan of voluntary action is practicable and is appropriate to the successful carrying out of the policies set forth in Public Law 395:

1. In furtherance of the proposed program for (1) the construction of new

residential housing at the rate of 1,000,000 units during the calendar year 1948 and at the same average annual rate of new housing construction during the first two months of 1949, and (2) the essential maintenance and repair of existing residential housing units, the steel producers participating herein will, during the period beginning July 1, 1948, and ending February 28, 1949, make steel products available, or will cause such products to be made available (out of the production of their own mills or the mills of their subsidiaries or affiliates) to manufacturers of warm air furnaces (including jackets and casings for warm air furnaces) registers and grilles, furnace blowers, and furnace pipe, fittings

and duct work in accordance with and subject to the terms and conditions hereinafter set forth.

2. (a) The quantities of each type of such steel products so to be made available by each of the steel producers shall, except as may be otherwise specified in any such steel producer's acceptance hereof, be such as the Secretary of Commerce (after consultation with the Steel Producers Advisory Task Committee of the Office of Industry Cooperation of the Department of Commerce) determines to be fair and equitable, in order to accomplish, as nearly as may be, the supply of steel products, on an average monthly basis, in the approximate quantities and to the several classes of manufacturers specified in the following schedule:

Type	To manufacturers of—				
	Warm air furnaces (including jackets and casings)	Registers and grilles	Furnace blowers	Furnace pipe fittings and duct work	Total (tons)
Hot rolled sheets and strip.....	42,000	2,500	1,000	1,500	47,000
Cold rolled sheets and strip.....	68,000	14,500	6,000	-----	88,500
Galvanized and coated sheets.....	15,000	200	2,000	59,500	76,700
Total.....	125,000	17,200	9,000	61,000	212,000

Each steel producer participating herein will, however, upon request of the Secretary of Commerce, give consideration to making such steel products available for the purposes of this plan in amounts additional to the amounts provided for in its acceptance of this plan.

(b) Such steel products will be made available under such contractual arrangements as may be made by the respective steel producers or their subsidiaries and affiliates with the respective manufacturers, and no request or authorization will be made by the Department of Commerce relating to the allocation of orders or customers or to the delivery of steel products or to the allocation of business among such manufacturers nor will any request or authorization be made to such steel producers for any limitation or restriction on the production or marketing of any such steel products. Nothing herein contained shall be construed as authorizing or approving any fixing of prices, and the participation herein of any steel producer shall not affect the prices or terms and conditions on which any such steel products as are made available are actually sold and delivered.

(c) Each steel producer participating herein will make available or cause to be made available only those steel products which are within the type and size limitations of the mill or mills which it may select for the production of such products and the quantities of steel products which it will make available or cause to be made available in any month during said period may be reduced, or at its option the delivery thereof may be postponed in direct proportion to any production losses which it or such subsidiary or affiliate shall sustain during any such month due to causes beyond its or their control.

(d) Each such steel producer will, if requested by the Office of Industry Cooperation of the Department of Commerce (subject to the approval of the

Bureau of the Budget under the Federal Reports Act of 1942) report to the Office of Industry Cooperation the total quantities of the several types of steel products shipped pursuant to such purchase orders, in any monthly period or periods during the operation of this plan.

3. (a) Each manufacturer of warm air heating equipment becoming a participant herein will forthwith submit to the Office of Industry Cooperation of the Department of Commerce (unless previously submitted) a schedule showing by plants the quantity and types of warm air heating equipment scheduled for production by it, monthly, during the period July 1, 1948 to December 31, 1948, and estimates of the quantities of steel products required therefor. Such schedules and estimates shall be similarly furnished from time to time thereafter upon request of the Office of Industry Cooperation. The quantities and types of steel products to be made available hereunder to the several participating manufacturers, within the schedule set forth in paragraph 2 (a) hereof, shall be initially determined, for the third and fourth calendar quarters of 1948 and for the period of January 1 to February 28, 1949, by the Secretary of Commerce after consultation with the Warm Air Heating Industry Task Committee, subject to such revision, if any, from time to time, as may be deemed necessary by the Secretary of Commerce after consultation with such Committee. For the purposes of such determination, consideration will be given to past production records, plant capacity, and inventories of finished products on hand.

(b) By participation herein, the several manufacturers of warm air heating equipment shall be obligated to use all steel products made available hereunder solely in the production of warm air furnaces, including jackets and casings for warm air furnaces, registers and grilles, furnace blowers and/or furnace pipe, fittings and duct work, as the case

may be, suitable for use in the construction, maintenance or repair of residential housing; not to resell or transfer any thereof (except to such subsidiary, affiliate or sub-contractor as may be designated by any such manufacturer for the fabrication of such end products) in the form received by such manufacturers; and not to build up inventory of such steel products beyond current needs for the purposes hereof. Each purchase order for steel products to be made available hereunder shall bear the following certification of the manufacturer placing such purchase order:

We hereby certify and agree that the steel products specified in this order will be used for the production of _____ and that this order is placed under section 3 (b) of the Voluntary Plan authorized by Public Law 395, for Allocation of Steel Products for Warm Air Heating Equipment for Residential Housing.

(c) Each warm air heating equipment manufacturer, participating herein, shall furnish reports (subject to the approval of the Bureau of the Budget under the Federal Reports Act of 1942) on forms furnished by the Secretary of Commerce, from time to time, as the Secretary of Commerce may deem desirable or necessary, showing the total quantities and types of steel products received from all sources and the quantities and types of warm air heating equipment produced, and other relevant information.

4. After approval hereof by the Attorney General and by the Secretary of Commerce, and after requests for compliance herewith shall have been made of steel producers and manufacturers of warm air heating equipment by the Secretary of Commerce, any such steel producer or any such manufacturer of warm air heating equipment may become a participant herein by advising the Secretary of Commerce, in writing, of its acceptance of such request. Such requests for compliance will be effective for the purpose of granting certain immunity from the anti-trust laws and the Federal Trade Commission Act, as provided in section 2 (c) of Public Law 395, only with respect to such steel producers and such manufacturers of warm air heating equipment as notify the Secretary of Commerce in writing that they will comply with such requests.

5. This plan shall become effective upon the date of its final approval by the Secretary of Commerce and shall cease to be effective at the close of business on February 28, 1949, or on such earlier date as may be determined by the Secretary of Commerce, upon notice, by letter or by publication in the FEDERAL REGISTER, not less than sixty days prior to such earlier date.

6. Any such steel producer or manufacturer of warm air heating equipment may withdraw from this plan by giving not less than sixty days' written notice of its intention so to do to the Secretary of Commerce.

Approved: June 21, 1948.

CHARLES SAWYER,
Secretary of Commerce.

Approved: June 18, 1948.

TOM C. CLARK,
Attorney General.

JUNE 25, 1948.

GENTLEMEN:

A Voluntary Plan, under Public Law 395, 80th Congress, for the Allocation of Steel Products for Warm Air Heating Equipment for Residential Housing, has been approved by the Attorney General. Acting by delegation from the President under Executive Order 9919, I have determined that the Plan is practicable and is appropriate to the successful carrying out of the policies set forth in Public Law 395, and have approved the Plan. A copy of the Plan is enclosed.

In accordance with the provisions of Paragraph 2 of the Plan, an initial determination has been made by me with respect to the quantities of each type of steel products which should be made available by each of the steel producers who are expected to become participants in the Plan.

By virtue of the terms of Public Law 395 and Executive Order 9919 I hereby request compliance by you with the Plan. For your convenience I am enclosing a suggested form for your use in evidencing your acceptance of this request for compliance by you with the Plan. The enclosed form specifies the quantities of each type of steel product which it has been initially determined by me with the advice of the Industry Task Committee, in accordance with Paragraph 2 of the Plan, should be made available by you during the period July 1, 1948 to February 28, 1949 on an average monthly basis for the purposes of the Plan.

Requests of like tenor are being directed to all other steel producers proposed to become participants in the Plan.

This request will not be effective for the purpose of granting immunity from the anti-trust laws and the Federal Trade Commission Act, as provided in Section 2 (c) of Public Law 395, 80th Congress, unless you promptly agree in writing to comply with the Plan.

I trust that your favorable response to this request will be promptly communicated to me.

Sincerely yours,

CHARLES SAWYER,
Secretary of Commerce.

JUNE 25, 1948.

GENTLEMEN:

A Voluntary Plan, under Public Law 395, 80th Congress, for the Allocation of Steel Products for Warm Air Heating Equipment for Residential Housing, has been approved by the Attorney General. Acting by delegation from the President under Executive Order 9919, I have determined that the Plan is practicable and is appropriate to the successful carrying out of the policies set forth in Public Law 395, and have approved the Plan. A copy of the Plan is enclosed.

By virtue of the terms of Public Law 395 and Executive Order 9919 I hereby request compliance by you with the Plan. For your convenience I am enclosing a suggested form for your use in evidencing your acceptance of this request for compliance by you with the Plan.

Requests of like tenor are being directed to all other steel consumers proposed to become participants in the Plan.

This request will not be effective for the purpose of granting immunity from the anti-trust laws and the Federal Trade Commission Act, as provided in Section 2 (c) of Public Law 395, 80th Congress, unless you agree in writing to comply with the Plan.

In accordance with paragraph 3 (a) of the Plan, I have initially determined, after consultation with the Warm Air Heating Industry Task Committee, that as a participant in the Plan, your allocation of steel during the period from July 1, 1948 to February 28, 1949 will be

-----tons of hot rolled sheets and strip
-----tons of cold rolled sheets and strip
-----tons of galvanized and coated sheets
to be used in the manufacture of -----

Since it is essential to carrying out the proposed Plan, that I be informed without delay of the net amount of steel allocations to be executed under the Plan, I must know as promptly as possible how many consumers desire to participate. I trust therefore, that I may have your favorable response on or before -----, 1948. If I do not receive your acceptance by that date, I shall assume that you do not wish to participate.

Sincerely yours,

CHARLES SAWYER,
Secretary of Commerce.

NOTE: The above request for compliance with Department of Commerce Voluntary Plan for Allocation of Steel Products for Warm Air Heating Equipment for Residential Housing was sent to the steel producers or manufacturer of warm air heating equipment listed on an attachment filed with the original document.

[F R. Doc. 48-6385; Filed, July 16, 1948;
8:50 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 2953 et al.]

PAN AMERICAN AIRWAYS, INC.

NOTICE OF HEARING

In the matter of the application of Pan American Airways, Inc., for amendment of its certificates of public convenience and necessity authorizing air transportation between the United States and points in India, Asia, and the South Pacific area so as to consolidate said certificates and to expand in certain respects the authorizations contained therein, Docket No. 2953, and the applications of Northwest Airlines, Inc., for amendment of its certificate of public convenience and necessity so as to include Okinawa as an intermediate point between Shanghai and Manila on its Pacific route, Docket No. 2944, and to include Fukuoka, Japan, as an intermediate point between Tokyo, Japan, and Seoul, Korea, on such route, Docket No. 3334.

For further details of the operations proposed and the route modifications requested, the parties are referred to the applications, the examiner's prehearing conference report, and the correspondence with respect thereto, which are on file with the Civil Aeronautics Board.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, that the above applications are assigned for hearing on July 26, 1948, at 10:00 a. m. (eastern daylight saving time) in Room 2015, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Ralph L. Wiser.

Without limiting the scope of the issues to be considered, particular attention will be directed to the following matters:

1. Whether the proposed amendments of certificates are required, in whole or in part, by the public convenience and necessity.

2. Whether the applicants are fit, willing, and able to perform the proposed new transportation properly to conform to the provisions of the act and the rules, regulations, and requirements of the Board thereunder.

Notice is further given that any person, other than the parties of record, desiring to be heard in this proceeding shall file with the Board on or before July 26, 1948, a statement setting forth the issues of fact and law raised by this proceeding which he desires to controvert.

Dated at Washington, D. C., July 13, 1948.

By the Civil Aeronautics Board.

[SEAL]

M. C. MULLIGAN,
Secretary.

[F R. Doc. 48-6383; Filed, July 16, 1948;
8:49 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 8765-8768, 9071]

A. FRANK KATZENTINE ET AL.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of A. Frank Katzentine, Miami Beach, Florida, Docket No. 8765, File No. BPCT-127; Miami Broadcasting Company, Miami, Florida, Docket No. 8766, File No. BPCT-218; The Fort Industry Company Miami, Florida, Docket No. 8767, File No. BPCT-228; Isle of Dreams Broadcasting Corporation, Miami, Florida, Docket No. 8768, File No. BPCT-237; Miami-Hollywood Television Corporation, Miami, Florida, Docket No. 9071, File No. BPCT-397 for construction permits for television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 6th day of July 1948;

The Commission having under consideration the above application filed by the Miami-Hollywood Television Corporation (File No. BPCT-397) for construction permit for a television station to operate unlimited time on a channel allocated to the Miami metropolitan district under § 3.606 of the Commission's rules and regulations; and

It appearing, that on January 30, 1948, the Commission designated the four other above entitled applications, i. e., File Nos. BPCT-127, BPCT-218, BPCT-228, and BPCT-237, for hearing in a consolidated proceeding because said applications exceeded in number the unassigned television channels allocated to the Miami metropolitan district;

It is ordered, That pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above application of the Miami-Hollywood Television Corporation (File No. BPCT-397) be, and it is hereby, designated for hearing in a consolidated proceeding with the other above applications for stations at Miami, Florida, namely, File Nos. BPCT-127, BPCT-218, BPCT-228, and BPCT-237, at a time and place to be designated by the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant to operate and construct the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which may be expected to receive service from the proposed station.

4. To determine whether the operation of the proposed station would involve objectionable interference with any other existing television broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for television broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules governing television broadcast stations, and its Standards of Good Engineering Practice Concerning Television Broadcast Stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the issues in Docket Nos. 8765, 8766, 8767, and 8768 be, and they are hereby, enlarged to include in each case issues 4, 5, and 6 above.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-6387; Filed, July 16, 1948;
8:50 a. m.]

[Docket No. 8925]

RADIOMARINE CORP. OF AMERICA

ORDER CONTINUING HEARING

In the matter of Radiomarine Corporation of America. New ship station charges in connection with ship telephone service to and from vessels on the Great Lakes.

The Commission having under consideration its Order of April 14, 1948, herein, suspending certain revised tariff schedules of Radiomarine Corporation of America applicable to Ship Telephone Service on the Great Lakes; and having also under consideration a petition filed with the Commission on June 29, 1948, requesting continuance of the hearing herein now scheduled for July 6, 1948 until October 12, 1948, and also requesting permission to make appropriate tariff filings to continue the effectiveness of the presently effective tariff schedules for a period of time beyond the expiration date thereof equal to the amount of time the hearing is continued;

It is ordered, This 1st day of July 1948, that the hearing herein now scheduled for July 6, 1948, is continued to October 12, 1948, at the same time and place heretofore designated: *Provided however* That Radiomarine Corporation of America file no later than July 10, 1948 an

appropriate tariff supplement changing from September 7, 1948 to December 13, 1948, the effective date for the charges, regulations, practices and services sought to be established by the above mentioned suspended tariff schedules;

It is further ordered, That special permission is granted to Radiomarine Corporation of America to make said tariff supplement effective on one day's notice to the Commission and to the public.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-6388; Filed, July 16, 1948;
8:51 a. m.]

STEPHENS BROADCASTING CO., INC.

PUBLIC NOTICE CONCERNING PROPOSED
TRANSFER OF CONTROL¹

The Commission hereby gives notice that on July 2, 1948, there was filed with it an application (BTC-655) for its consent under section 310 (b) of the Communications Act to the proposed transfer of control of Stephens Broadcasting Company, Incorporated, licensee of AM station WDSU and permittee of WDSU-FM and WDSU-TV New Orleans, Louisiana from E. A. Stephens, H. G. Wall and Fred Weber to International City Broadcast Service, Inc. The proposal to transfer control arises out of a contract of June 10, 1948, between E. A. Stephens, H. G. Wall and Fred Weber as Sellers, and International City Broadcast Service, Inc., a Delaware corporation, as Buyer, pursuant to the terms of which the Buyer will purchase all of the outstanding preferred and common (voting) capital stock of Stephens Broadcasting Company, Incorporated, now owned by the Sellers, for \$675,000.00 in the following amounts and proportions: Seller Stephens, \$300,000.00 for 944 shares preferred (40%) and 400 shares common (40%) Seller Wall, \$235,000.00 for 885 shares preferred (37½%) and 375 shares common (37½%) Seller Weber, \$140,000.00 for 531 shares preferred (22½%) and 225 shares common (22½%) The Sellers agree that the net quick assets of Stephens Broadcasting Company, Incorporated, as defined in the purchase agreement, will be at least \$81,201.24 on the closing date. Certificates for all of the aforesaid capital stock, endorsed in blank, have been deposited with the Whitney National Bank of New Orleans, Louisiana, as escrow agent, to be delivered to the Buyer if on or before March 15, 1949, notice of consent of the aforesaid Commission to the transfer is received by the escrow agent and if the Buyer deposits with the escrow agent the sum of \$540,000.00 The consideration for the aforesaid capital stock is to be paid by the Buyer in the following manner: cash in the amount of 10% of the purchase price has been deposited by the Buyer with the escrow agent; cash in the amount of 80% of the purchase price is to be deposited by the Buyer with the

escrow agent within 3 days of receipt by the Buyer of written consent of the said Commission to the transfer of control, and the escrow agent is then to distribute the fund of 80% of the purchase price to each of the Sellers; within 30 days of delivery to the Buyer by the escrow agent of the aforesaid certificates of stock or after adjudication of any claims of Buyer against the Sellers for breach of obligations under the agreement, the Buyer is to pay the balance of 10% of the purchase price to each of the Sellers. Pending consent of the said Commission to the transfer of Control, the Buyer has agreed, under certain conditions, to advance money to Stephens Broadcasting Company, Incorporated to pay costs of construction Stations WDSU-FM and WDSU-TV Such advances are to be evidenced by promissory notes, payable on demand after March 1, 1949, with interest at 6% from the date of demand. Further information as to the arrangements may be found with the application and associated papers which are on file at the offices of the Commission in Washington, D. C.

Pursuant to § 1.321 which sets out the procedure to be followed in such cases including the requirement for public notice concerning the filing of the application, the Commission was advised by applicant that starting on July 3, 1948, notice of the filing of the application would be inserted in The New Orleans Item, a newspaper of general circulation at New Orleans, La., in conformity with the above section.

In accordance with the procedure set out in said section, no action will be had upon the application for a period of 60 days from July 3, 1948, within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above described contract.

(Sec. 310 (b) 48 Stat. 1086; 47 U. S. C. 310 (b))

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-6389; Filed, July 16, 1948;
8:51 a. m.]

NORTH JERSEY BROADCASTING CO., INC.

PUBLIC NOTICE CONCERNING PROPOSED
TRANSFER OF CONTROL¹

The Commission hereby gives notice that on July 7, 1948, there was filed with it an application (BTC-657) for its consent under section 310 (b) of the Communications Act to the proposed transfer of control of North Jersey Broadcasting Co., Inc., licensee of AM station WPAT and permittee of FM station WNNJ, Paterson, New Jersey from Donald Flamm and James V. Cosman to The Passaic Daily News. The proposal to transfer control arises out of a contract of June 15, 1948, between Donald Flamm and James V. Cosman, as Sellers, and The Passaic Daily News, a New Jersey corporation, as Buyer, pursuant to the terms of which the Buyer will, for \$527,400.00,

¹ Section 1.321, Part 1, Rules of Practice and Procedure.

purchase 360 shares, now owned by Sellers, of the 400 shares issued and outstanding of no-par common stock (voting) in North Jersey Broadcasting Company, Inc., which is authorized to issue 600 additional shares of common no-par stock and which has no other authorized capital stock. Payment under this agreement will be made of \$293,000.00 to Seller Flamm for 200 shares and of \$234,400.00 to Seller Cosman for 160 shares, in the following manner: cash in the amount of \$50,000.00 has been paid as of June 15, 1948 (\$27,777.75 to Seller Flamm and \$22,222.25 to Seller Cosman) an additional \$451,030.00 on the day of closing, and the remaining balance of \$26,370.00 within six months thereafter upon compliance by Sellers with all provisions of the contract. The transfer of stock covered by this agreement by Sellers to Buyer shall be made on the day of closing after payment by Buyer of the sums then due and payable. In the event the Commission gives its consent and Buyer refuses or fails to perform, after tender to Buyer by Seller of full performance, the Sellers shall keep the \$50,000.00 cash payment already made. The Sellers agree that the net quick assets of North Jersey Broadcasting Co., Inc., as defined in the agreement will be not less than \$63,000.00 on the closing date. All liabilities accrued as of the closing date will be assumed by Sellers. Pending consent of said Commission to the transfer of control, the Buyer has agreed, under certain conditions specified in the purchase agreement, to advance money to North Jersey Broadcasting Co., Inc., to pay for costs of construction or acquisition of new facilities. Such advances are to be evidenced by promissory notes of the corporation endorsed by Sellers individually, bearing annual interest at the rate of 4% payable semi-annually and payable as to principal 6 months after date of demand. Further information as to the arrangements may be found with the application and associated papers which are on file at the offices of the Commission in Washington, D. C.

Pursuant to § 1.321 which sets out the procedure to be followed in such cases including the requirement for public notice concerning the filing of the application, the Commission was advised by applicant that starting on July 9, 1948 notice of the filing of the application would be inserted in The Paterson News a newspaper of general circulation at Paterson, New Jersey, in conformity with the above section.

In accordance with the procedure set out in said section, no action will be had upon the application for a period of 60 days from July 9, 1948 within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above described contract.

(Sec. 310 (b) 48 Stat. 1086; 47 U. S. C. 310 (b))

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F R. Doc. 48-6390; Filed, July 16, 1948; 8:51 a. m.]

CENTRAL LOUISIANA BROADCASTING CORP.

PUBLIC NOTICE CONCERNING PROPOSED TRANSFER OF CONTROLS¹

The Commission hereby gives notice that on July 2, 1948, there was filed with it an application (BTC-656) for its consent under section 310 (b) of the Communications Act to the proposed transfer of control of Central Louisiana Broadcasting Corporation licensee of KPDR and permittee of KPDR-FM from Eugene Levy, Sidney B. Pearce, Paul A. Gilham, Jr., Julius B. Nachman, Philip Scalfano, George S. Stanley, Abe A. Rubin, Junius H. Payne, William T. Morgan, George I. Maston, Isaac Wahlder, Carl L. Dunn and Luther M. Lewis to the Executive Board of the Louisiana Baptist Convention. The proposal to transfer control arises out of a contract of June 14, 1948, pursuant to which 620 shares (100%) of the stock in the Central Louisiana Broadcasting Corporation will be sold to the Executive Board of the Louisiana Baptist Convention upon the satisfaction by that Board of an indebtedness of Central Louisiana Broadcasting Corporation to Rapides Bank and Trust Company, Alexandria, Louisiana in the amount of \$24,500.00. Further information as to the arrangements may be found with the application and associated papers which are on file at the offices of the Commission in Washington, D. C.

Pursuant to § 1.321 which sets out the procedure to be followed in such cases including the requirement for public notice concerning the filing of the application. The Commission was advised by applicant on July 2, 1948, that starting on July 12, 1948, notice of the filing of the application would be inserted in a newspaper of general circulation at Alexandria, Louisiana, in conformity with the above section.

In accordance with the procedure set out in said section, no action will be had upon the application for a period of 60 days from July 12, 1948, within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above described contract.

(Sec. 310 (b) 48 Stat. 1086; 47 U. S. C. 310 (b))

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F R. Doc. 48-6391; Filed, July 16, 1948; 8:51 a. m.]

CLASS B FM BROADCAST STATIONS ORDER AMENDING REVISED TENTATIVE ALLOCATION PLAN

In the matter of amendment of revised tentative allocation plan for Class B FM broadcast stations to delete Channel No. 273 from Washington, Pennsylvania, and to add Channel No. 273 to Pittsburgh, Pennsylvania.

¹Section 1.321, Part 1, Rules of Practice and Procedure.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 12th day of July 1948;

The Commission having under consideration a proposal to amend its revised tentative allocation plan for Class B FM broadcast stations to the extent that Channel No. 273 would be deleted from Washington, Pennsylvania, and added to Pittsburgh, Pennsylvania; and

It appearing, that on January 30, 1948, the Commission gave public notice of the above amendment which notice was published in the FEDERAL REGISTER on February 11, 1948, and provided that objections to the amendment might be filed with the Commission on or before March 2, 1948; and

It further appearing, that two objections to said amendment have been received; that the Commission has carefully considered these objections; and that the Commission is of the opinion that these objections and the matters urged in support thereof do not warrant the holding of an oral argument or a decision not to adopt the said amendment; and

It further appearing, that Pittsburgh, Pennsylvania, has a population of 671,659 and is the center of a metropolitan district with a population of 1,994,060; that Washington, Pennsylvania, has a population of 26,166 and is located approximately 22 miles southwest of Pittsburgh, Pennsylvania, and is within the Pittsburgh Metropolitan District; that Pittsburgh, Pennsylvania, is presently allocated 8 Class B FM channels of which seven have been assigned; that Washington, Pennsylvania, is presently allocated two Class B FM channels of which 1 has been assigned; that there are now two applications pending for the one remaining Pittsburgh channel and there are no applications pending for the one remaining Washington channel; that under the Commission's Rules Class A channels may be assigned to stations in Washington, Pennsylvania, and that one or more Class A channels are available for assignment in Washington, Pennsylvania, whereas Class A channels may not be assigned to stations in Pittsburgh, Pennsylvania; that a station operating at Pittsburgh, Pennsylvania, on Channel No. 273 will provide service to Washington, Pennsylvania; and that in addition Washington, Pennsylvania, will receive service from approximately 10 presently authorized FM stations and the rural area surrounding Washington, Pennsylvania, will receive service from approximately 16 stations; and

It further appearing, That, in the light of the foregoing, the adoption of said amendment would provide for a more efficient and equitable utilization of FM frequencies in accordance with the requirements of section 307 (b) of the Communications Act of 1934; as amended, and would thus serve public interest, convenience or necessity; and

It further appearing, that authority for the adoption of said amendment is contained in sections 303 (c) (d) (f) and (r) and 307 (b) of the Communications Act of 1934, as amended.

It is ordered, That, effective August 19, 1948, the revised tentative allocation plan for Class B FM broadcast stations is amended so that Channel No. 273 is deleted from Washington, Pennsylvania and added to Pittsburgh, Pa.

It is further ordered, That Channel No. 273 at Pittsburgh, Pennsylvania shall be deemed available for assignment to the applicants now requesting Class B FM facilities at Pittsburgh, Pennsylvania, whose applications have been heard in part in a consolidated proceeding (Docket Nos. 8472 and 8473) unless on or before September 20, 1948, a new application requesting said channel at Pittsburgh, Pennsylvania, is filed by another applicant.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-6392; Filed, July 16, 1948;
8:51 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-854, G-962, G-963, G-1065,
G-1070]

ATLANTIC SEABOARD CORP. ET AL.

ORDER PROVIDING FOR FURTHER CONSOLIDATION OF PROCEEDINGS AND FIXING DATE FOR RECONVENING HEARING

In the matters of Atlantic Seaboard Corporation, and Virginia Gas Transmission Corporation, Docket No. G-854, Tennessee Gas Transmission Company Docket No. G-962, Commonwealth Natural Gas Corporation, Docket No. G-963, East Tennessee Natural Gas Company, Docket No. G-1065, Tennessee Gas Transmission Company, Docket No. G-1070.

It appears to the Commission that:

(a) By order of May 4, 1948, it consolidated the proceedings in Docket Nos. G-854, G-962, and G-963 and set the consolidated proceedings for hearing to commence on June 1, 1948, at Washington, D. C. (13 F. R. 2551-2552)

(b) Hearings in the aforesaid consolidated proceedings at Docket Nos. G-854, G-962 and G-963 were held from June 1 to 17, 1948, at which time the hearings were recessed to reconvene on July 20, 1948, in Washington, D. C.

(c) On June 30, 1948, the East Tennessee Natural Gas Company (East Tennessee) filed an application in Docket No. G-1065 for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of certain natural gas facilities, subject to the jurisdiction of the Commission, as described in such application on file with the Commission and open to public inspection. The facilities proposed, according to East Tennessee, will increase the delivery capacity of its previously authorized pipe line system by 100,000 Mcf per day, of which amount 60,000 Mcf per day is proposed to be made available to the Atomic Energy Commission, at Oak Ridge, Tennessee, and the balance is proposed to be made available to serve towns and industrial customers along its proposed pipe line in middle

and eastern Tennessee. East Tennessee proposes to meet its total estimated requirements for natural gas service, as proposed in its application, from a supply of gas to be obtained from Tennessee Gas Transmission Company.

(d) On July 2, 1948, Tennessee Gas Transmission Company (Tennessee) filed a further amendment to its application in Docket No. G-962, to eliminate the construction of approximately 83 miles of 30-inch main pipe line loops.

(e) On July 2, 1948, Tennessee filed an application in Docket No. G-1070 for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing construction and operation of certain natural gas facilities, subject to the jurisdiction of the Commission, as described in such application on file with the Commission and open to public inspection. The facilities proposed, according to Tennessee, will increase the delivery capacity of its pipe line system by 60,000 Mcf per day, which is proposed by Tennessee to be made available to East Tennessee for resale to the Atomic Energy Commission at Oak Ridge, Tennessee.

(f) Due notice of the filing of the applications has been given, including publication in the FEDERAL REGISTER.¹

(g) Securing of the estimated required volumes of natural gas by East Tennessee Natural Gas Company is related to the construction of additional natural gas transmission facilities by Tennessee Gas Transmission Company.

(h) Good cause exists for consolidating the proceedings in Docket Nos. G-1065 and G-1070 with the consolidated proceedings in Docket Nos. G-354, G-962 and G-963, and for postponing the date of reconvening the hearing from July 20 to August 10, 1948. The Commission, therefore, orders that:

(A) The hearing scheduled to reconvene July 20, 1948 in the consolidated proceedings in Docket Nos. G-854, G-962 and G-963, be and the same is hereby postponed.

(B) The proceedings in Docket Nos. G-854, G-962, G-963, G-1065 and G-1070, be and the same are hereby consolidated.

(C) Pursuant to authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, the public hearing, now in recess in the aforesaid consolidated proceedings, be reconvened on the 10th day of August, 1948, at 10:00 a. m. (e. d. s. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the

¹ February 25, 1947 and January 17, 1948 of application and amendment in Docket No. G-854 (12 F. R. 1359, 13 F. R. 236-237); October 31, 1947 and May 11, 1948 of application and amendment in Docket No. G-962 (12 F. R. 7095, 13 F. R. 2552-2553); November 6, 1947 of application in Docket No. G-963 (12 F. R. 7269-7270); July 9, 1948 of application in Docket No. G-1065 (13 F. R. 3821-3822); Notice of application in Docket No. G-1070 filed with the FEDERAL REGISTER July 13, 1948, for publication on July 14, 1948.

matter involved and the issues presented by the applications and other pleadings in the above-entitled consolidated proceedings.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the said rules of practice and procedure.

Date of issuance: July 13, 1948.

By the Commission.

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-6376; Filed, July 16, 1948;
8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 323, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9557, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9733, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 11362]

BENEVOLENT REALTY HOLDING CO.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That one hundred sixty (160) shares (33 1/3%) of the 480 shares of issued and outstanding \$1.00 par value capital stock of Benevolent Realty Holding Company, a corporation organized under the laws of the State of California and a business enterprise within the United States, are registered in the name of and owned by Kurata Kawanami and are a substantial part of the issued and outstanding capital stock of Benevolent Realty Holding Company.

2. That Kurata Kawanami, whose last known address is Fukuokaken, Japan, is a resident of Japan and a national of a designated enemy country (Japan)

and it is hereby determined:

3. That the national interest of the United States requires that Benevolent Realty Holding Company be treated as a national of a designated enemy country (Japan)

4. That to the extent that the person named in subparagraph 2 hereof is not within a designated enemy country the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the 160 shares of common stock of Benevolent Realty Holding Company, more fully described in subparagraph 1 hereof, together with all declared and unpaid dividends thereon, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and

The direction, management, supervision and control of said business enter-

prise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to, said business enterprise is hereby undertaken, to the extent deemed necessary or advisable from time to time. This order shall not be deemed to limit the power to vary the extent of or terminate such direction, management, supervision or control.

The terms "national," "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 2, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F R. Doc. 48-6393; Filed, July 16, 1948;
8:52 a. m.]

[Vesting Order 11363]

PRIVATE PERSONS REALTY HOLDING CO.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That one hundred fifty (150) shares (33 $\frac{1}{3}$ %) of the 450 shares issued and outstanding \$1.00 par value capital stock of Private Persons Realty Holding Company, a corporation organized under the laws of the state of California and a business enterprise within the United States, are owned by Kurata Kawanami and are a substantial part of the issued and outstanding capital stock of Private Persons Realty Holding Company.

2. That Kurata Kawanami, whose last known address is Fukuoka-ken, Japan, is a resident of Japan and a national of a designated enemy country (Japan)

and it is hereby determined:

3. That the national interest of the United States requires that Private Persons Realty Holding Company be treated as a national of a designated enemy country (Japan)

4. That to the extent that the person named in subparagraph 2 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the 150 shares of common stock of Private Persons Realty Holding Company, more fully described in subparagraph 1 hereof, together with all declared and unpaid dividends thereon, to be held, used, administered, liquidated, sold or otherwise

dealt with in the interest of and for the benefit of the United States, and

The direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to, said business enterprise is hereby undertaken, to the extent deemed necessary or advisable from time to time. This order shall not be deemed to limit the power to vary the extent of or terminate such direction, management, supervision or control.

The terms "national," "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 2, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F R. Doc. 48-6394; Filed, July 16, 1948;
8:52 a. m.]

[Vesting Order 11481]

HERMANN C. CLAUS

In re: Estate and trust under the will of Hermann C. Claus, deceased. File No. D-28-10184; E. T. sec. 14513.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Heinrich Claus, Alwina Wunderlich, Anna Heermeyer, Dr. Erick Claus, Werner Claus and Hannah Busse, whose last known address is Germany are residents of Germany and nationals of a designated enemy country (Germany)

2. That the surviving brothers and sisters, names unknown, of Hermann C. Claus, deceased, who there is reasonable cause to believe are residents of Germany are nationals of a designated enemy country (Germany)

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them in and to the estate and trust under the Will of Hermann C. Claus, deceased, a property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany)

4. That such property is in the process of administration by J. Elmer Hausmann and Constance H. Claus, as Executors and Trustees, acting under the judicial supervision of the Essex County Orphans' Court, Newark, New Jersey

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof and the surviving brothers and sisters, names unknown, of Hermann C. Claus, deceased, are not within a designated enemy

country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C. on June 25, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F R. Doc. 48-6395; Filed, July 16, 1948;
8:52 a. m.]

[Vesting Order 11495]

FRANCES PAULI KRESS

In re: Estate of Frances Pauli Kress, deceased. File No. D-28-11429. E. T. sec. 15662.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Gottfried Holzheimer, Ernst Holzheimer, Josef Holzheimer, Carl Holzheimer, Lisette Schaff nee Holzheimer, and Sophie Bacher nee Holzheimer, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, and each of them, in and to the Estate of Frances Pauli Kress, deceased, is property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country (Germany)

3. That such property is in the process of administration by Edward J. Brennan, as Administrator, acting under the judicial supervision of the Probate Court District of New Haven, Connecticut

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used,

administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 25, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-6396; Filed, July 16, 1948;
8:52 a. m.]

[Vesting Order 11500]

MARTHA MINER

In re: Estate of Martha Miner, deceased. File No. D-28-12206; E. T. sec. 16424.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Bertha Gomeringer, Ottilie Weitzmann and Marie Gomeringer, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the sum of \$5,098.95, less payment of lawful debts, taxes, administration expenses, commissions and fees, in the possession, custody or control of Edith Hausman, 415 First National Bank Building, Everett, Washington, Executrix of the Estate of Martha Miner, deceased, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 25, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-6397; Filed, July 16, 1948;
8:52 a. m.]

[Vesting Order 11506]

MARIA REININGER

In re: Estate of Maria Reininger, also known as Mary Zach Reininger, deceased. File D-28-10310; E. T. sec. 14687.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Maria Helm nee Halder, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the estate of Maria Reininger, also known as Mary Zach Reininger, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany)

3. That such property is in the process of administration by Mary Frey and Robert C. Duffy, as administrators, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 25, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-6398; Filed, July 16, 1948;
8:52 a. m.]

[Vesting Order 11508]

GUSTAV E. SAENGER

In re: Estate of Gustav E. Saenger, deceased. File No. D-66-1875; E. T. sec. 10939.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the Deutsches Reichs Waisenhaus, whose last known address is Lahr,

Baden, Germany, is an agency or instrumentality of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the Deutsches Reichs Waisenhaus in and to the Estate of Gustav E. Saenger, deceased, is property payable or deliverable to, or claimed by, the aforesaid agency or instrumentality of a designated enemy country (Germany)

3. That such property is in the process of administration by the Hartford-Connecticut Trust Company, as Administrator, c. t. a., acting under the judicial supervision of the Probate Court for the District of Ellington, Connecticut.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 25, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-6399; Filed, July 16, 1948;
8:52 a. m.]

[Vesting Order 11532]

HARRY K. KIMURA

In re: Stock owned by Harry K. Kimura. F-28-23158-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Harry K. Kimura, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan)

2. That the property described as follows: Sixty-five (65) shares of no par value common capital stock of The Lambert Company, 9 Rockefeller Plaza, New York 20, New York, a corporation organized under the laws of the State of Delaware, evidenced by certificates numbered 93879 and 101630 for fifty (50) and fifteen (15) shares respectively, registered in the name of Harry K. Kimura, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the aforesaid national of a designated enemy country (Japan)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 25, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F R. Doc. 48-6400; Filed, July 16, 1948; 8:52 a. m.]

[Vesting Order 11569]

CAMFIELD BUILDING AND LOAN ASSN.

In re: Camfield Building and Loan Association in voluntary dissolution. File No. D-28-9942; E. T. sec. 14090.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Katherine Weber a/k/a Katharina Weber, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the sum of \$560.46 was paid to the Alien Property Custodian by William J. Rink, Fred J. Griese and Ernest P. Kayser, Trustees of the Camfield Building and Loan Association of New Jersey, in voluntary dissolution and liquidation;

3. That the said sum of \$560.46 was accepted by the Attorney General of the United States on April 28, 1948, pursuant to the Trading With the Enemy Act, as amended;

4. That the sum of \$560.46 is presently in the possession of the Attorney General of the United States and was property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

5. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property by acceptance as aforesaid.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 2, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director
Office of Alien Property.

[F R. Doc. 48-6401; Filed, July 16, 1948; 8:53 a. m.]

[Vesting Order 11584]

ANTON SCHIMMER

In re: Estate of Anton Schimmer, deceased. File D-57-436; E. T. sec. 14610.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Jakob (Jacob) Schimmer, Mrs. Nikolaus (Nickolas) Hummel and Peter Schimmer, whose last known address was, on January 24, 1947, Rumania, were on such date residents of Rumania and nationals of a designated enemy country (Rumania)

2. That the sum of \$13,084.45 was paid to the Attorney General of the United States by Peter Schimmer, Administrator of the Estate of Anton Schimmer, deceased;

3. That the said sum of \$13,084.45 was accepted by the Attorney General of the United States on January 24, 1947, pursuant to the Trading With the Enemy Act, as amended;

4. That the said sum of \$13,084.45 is presently in the possession of the Attorney General of the United States and was property in the process of administration by the aforesaid Peter Schimmer, Administrator, acting under the judicial supervision of the Probate Court of St. Louis County, Missouri, which was payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Rumania)

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof were not within a designated enemy country on January 24, 1947, the national interest of the United States required that such persons be treated as nationals of a designated enemy country (Rumania) on such date.

All determinations and all action required by law, including appropriate consultation and certification, having been

made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property by acceptance as aforesaid.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 2, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director
Office of Alien Property.

[F R. Doc. 48-6402; Filed, July 16, 1948; 8:53 a. m.]

[Vesting Order 11598]

ELIZABETH VON ELVERFELDT

In re: Bank account owned by Elizabeth von Elverfeldt. F-28-13835-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Elizabeth von Elverfeldt, whose last known address is Meinekestrasse 4, Berlin, W 15, Germany is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation owing to Elizabeth von Elverfeldt, by United States Trust Company of New York, 45 Wall Street, New York, New York, arising out of a Checking Account, entitled Elizabeth von Elverfeldt, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 2, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 48-6403; Filed, July 16, 1948;
8:53 a. m.]

[Vesting Order 11599]

ELISABETH VON ELVERFELDT

In re: Trust Indenture of Elisabeth von Elverfeldt. File No. F-28-13835-G-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Elisabeth von Elverfeldt, whose last known address is Germany is a resident of Germany and a national of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of Elisabeth von Elverfeldt, in and to and arising out of or under that certain trust indenture dated July 23, 1937, by and between Elisabeth von Elverfeldt, Grantor and Thomas B. Gilchrist and the United States Trust Company of New York, as Trustees, including, but not limited to the rights of said Elisabeth von Elverfeldt reserved in paragraph tenth of said trust indenture, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 2, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 48-6404; Filed, July 16, 1948;
8:53 a. m.]

[Vesting Order 11600]

AUGUST FUCHS

In re: Real property owned by August Fuchs.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That August Fuchs, whose last known address is Husum, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: Real property, situated in the Town of Absarokee, County of Stillwater, State of Montana, particularly described as the South twelve and one-half (12½) feet of Lot 15 in Block 1, which lies next to the North line of Lot 16 in said Block 1, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of a designated enemy country, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 9, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 48-6405; Filed, July 16, 1948;
8:53 a. m.]

[Vesting Order 11601]

OTTILIE HOFFBAUER LOHMANN

In re: Real property, property insurance policies and claim owned by Ottilie Hoffbauer Lohmann.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ottilie Hoffbauer Lohmann, whose last known address is Alte Dorfstrasse 17, Marquartstein (13b) Obb-Bavaria, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows:

a. Real property situated in the Borough of Brooklyn, County of Kings, State of New York, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments, arising from the ownership of such property,

b. All right, title and interest of Ottilie Hoffbauer Lohmann, in and to the following insurance policies which insure the property described in subparagraph 2-a hereof:

Fire Insurance Policy No. F-754306, issued by Sun Insurance Office, Ltd., 10 Gold Street, New York, New York, in the amount of \$3,000, which policy expires July 20, 1948, together with any and all extensions or renewals thereof.

Fire Insurance Policy No. F-872479, issued by Sun Insurance Office, Ltd., 10 Gold Street, New York, New York, in the amount of \$6,000, which policy expires February 1, 1950,

Fire Insurance Policy No. F-872455, issued by Sun Insurance Office, Ltd., 10 Gold Street, New York, New York, in the amount of \$6,000, which policy expires February 1, 1950,

Fire Insurance Policy No. 872746, issued by Sun Insurance Office, Ltd., 10 Gold Street, New York, New York, in the amount of \$6,000, which policy expires August 2, 1950,

Liability Insurance Policy No. LO-421263, issued by Great American Indemnity Company, 1 Liberty Street, New York, New York, in the limits of \$5/10,000, which policy expires November 7, 1948.

Plate Glass Insurance Policy No. PG 6-83411, Renewal No. 21302, issued by Home Indemnity Company, 59 Maiden Lane, New York, New York, which policy expired June 12, 1948, together with any and all extensions or renewals thereof.

Plate Glass Insurance Policy No. PG 6-83409, Renewal No. 21146, issued by Home Indemnity Company, 59 Maiden Lane, New York, New York, which policy expired June 12, 1948, together with any and all extensions or renewals thereof.

Workmen's Compensation Policy No. A-142824, issued by the State Insurance Fund, 625 Madison Avenue, New York, New York, which policy expired March 1, 1948, together with any and all extensions or renewals thereof.

c. That certain debt or other obligation owing to Ottilie Hoffbauer Lohmann by Otto Hoffbauer, 144 Wildwood Avenue, Upper Montclair, New Jersey arising out of rents collected from the real property described in subparagraph 2-a hereof, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and

There is hereby vested in the Attorney General of the United States the property described in subparagraphs 2-b and 2-c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 9, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director
Office of Alien Property.

EXHIBIT A

All that certain lot, piece or parcel of land, situate, lying and being in the Borough of Brooklyn, City of New York, formerly the Fourteenth Ward of the City of Brooklyn, bounded and described as follows:

Beginning at a point on the easterly side of Bedford Avenue, formerly Fourth Street, distant fifty-nine (59) feet, southerly from the southeasterly corner of North Seventh Street, and Bedford Avenue, formerly Fourth Street, thence southerly along the easterly side of Bedford Avenue, formerly Fourth Street, twenty-nine (29) feet, thence easterly parallel with North Seventh Street, one hundred (100) feet, thence northerly parallel with Bedford Avenue, formerly Fourth Street, twenty-nine feet, and thence westerly parallel with North Seventh Street, one hundred (100) feet to the point or place of beginning. The walls on the northerly and southerly sides of the building erected on the above described premises being party walls.

[F. R. Doc. 48-6406; Filed, July 16, 1948; 8:53 a. m.]

[Vesting Order 11602]

ANTON PLANK ET AL.

In re: Real property bond and mortgage, and property insurance policies owned by Anton Plank and the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of

Eva Wohrl, deceased, and of Katie Futterer, also known as Kathie Futterer, deceased.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Anton Plank, whose last known address is Munich, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Eva Wohrl, deceased, and of Katie Futterer, also known as Kathie Futterer, deceased, who there is reasonable cause to believe are residents of Germany; are nationals of a designated enemy country (Germany)

3. That the property described as follows:

a. Real property, situated in the Township of Lyndhurst, County of Bergen, State of New Jersey, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments, arising from the ownership of such property

b. A mortgage executed on July 28, 1923, by August Beyer and Henrietta Beyer, his wife, to Frederick Plank and Anna Plank, his wife, or the survivor of them, and recorded on July 30, 1923, in the Office of the County Clerk of Bergen County, New Jersey, in Liber 611 of Mortgages, at Page 407, and any and all obligations secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all such obligations, and the right to enforce and collect such obligations, and the right to possession of any and all notes, bonds and other instruments evidencing such obligations,

c. All right, title and interest of the persons identified in subparagraphs 1 and 2 hereof, in and to the following insurance policies:

Fire Insurance Policy No. F815648, issued by Sun Insurance Office, Ltd., 10 Gold Street, New York, New York, in the amount of \$5,000.00, which policy insures the real property described in subparagraph 3-a hereof, together with any and all extensions or renewals thereof, and

Liability Insurance Policy No. SP 4350529, issued by Continental Casualty Company, Hammond, Indiana, in the limits of \$5/10,000, which policy insures the real property described in subparagraph 3-a hereof, together with any and all extensions or renewals thereof,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

4. That to the extent that the person identified in subparagraph 1 hereof, and the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Eva Wohrl, deceased, and of Katie Futterer, also known as Kathie Futterer, deceased, are not within a des-

ignated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States, the property, except the dower right and interest of Eva Plank, described in subparagraph 3-a hereof, subject to recorded liens, encumbrances, and other rights of record held by or for persons who are not nationals of designated enemy countries, and

There is hereby vested in the Attorney General of the United States the property described in subparagraphs 3-b and 3-c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 9, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director
Office of Alien Property.

EXHIBIT A

All those certain tracts or parcels of land and premises hereinafter particularly described, situate, lying and being in the Township of Lyndhurst, in the County of Bergen and State of New Jersey.

First tract. Being a part of lot number eight (8), in Block "7A" as laid down on a certain map on file in the Bergen County Clerk's Office, entitled "Map No. 2 of Property of John J. Pickering, situated at Lyndhurst formerly Rutherford, Bergen County, New Jersey, and further described as follows:

Beginning at a point on the Southwesterly side of Second Avenue distant thereon seventy-five and nineteen hundredths (75.19) feet Southeasterly from the corner formed by the intersection of the Southwesterly side of Second Avenue with the Southeasterly side of Livingston Avenue, running thence (1) Southwesterly and parallel with Livingston Avenue and through the center line of a party wall, between the property of the party of the first part and the property of Thomas E. Knox and wife, one hundred (100) feet; thence (2) Southeasterly parallel with Second Avenue twenty-four and eighty-one hundredths (24.81) feet to the dividing line between lots numbers eight (8) and ten (10) in Block "7A" on said map; thence (3) Northeasterly and along the same one hundred (100) feet to the Southwesterly side of Second Avenue; thence (4) Northwesterly and along the same twenty-four and eighty-one hundredths (24.81) feet to the point or place of beginning.

Second tract. Which, on a certain map filed in the Bergen County Clerk's Office, on the Sixth day of November 1905, and entitled, "Map No. 2 of Property of John J. Pickering, situated at Lyndhurst formerly Rutherford, Bergen County, New Jersey" is known and designated as lot numbered seven (7) in Block "7A" on said map; and lying upon the Northeasterly side of First or Court Avenue, so called.

[F. R. Doc. 48-6407; Filed, July 16, 1948; 8:53 a. m.]